



The Municipal Corporation of the Town of Fort Erie

BY-LAW NO. 68-06

BEING A BY-LAW TO REGULATE THE MANAGEMENT OF A SYSTEM OF SEWER WORKS AND DRAINAGE WORKS IN THE TOWN OF FORT ERIE AND TO REPEAL VARIOUS BY-LAWS

(File No. 3602)

WHEREAS Subsection 11(2) of the *Municipal Act*, 2001, provides *inter alia* for spheres of jurisdiction in which upper-tier and lower-tier municipalities may pass by-laws respecting the spheres of sanitary sewage collection, storm water collection and other drainage from land, and drainage and flood control exclusive of storm sewers; and

WHEREAS Item 4, "Public Utilities" in the Table to Subsection 11(2) of the said Act, provides that a lower-tier municipality in the Region of Niagara may pass by-laws respecting matters within the sphere of jurisdiction for sanitary sewage collection; and

WHEREAS Subsection 11(2) Item 4 "Public Utilities" of the said Act provides that the sanitary sewage collection sphere of jurisdiction is a non-exclusive assignment and therefore both the upper-tier municipality and its lower-tier municipalities have the power to pass by-laws under that sphere; and

WHEREAS Item 4, "Public Utilities" in the Table under Subsection 11(2) of the said Act, provides *inter alia* that the collection of stormwater and other drainage from land is a non-exclusive assignment and therefore both the upper-tier and lower-tier municipalities have the power to pass by-laws under that sphere; and

WHEREAS Item 6, in the Table under Subsection 11(2) of the said Act, provides that the drainage and flood control sphere of jurisdiction, except for storm sewers, is a non-exclusive assignment and therefore both upper-tier and lower-tier municipalities have the power to pass by-laws under that sphere; and

WHEREAS Subsection 9(1) of the said Act provides Section 11 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues; and

WHEREAS Section 222 of the previous *Municipal Act*, R.S.O. 1990, c. M.45 provided *inter alia* that councils of local municipalities could pass by-laws requiring owners of buildings, or any class or classes of buildings in the municipality, or in any defined area thereof, to connect the said buildings or class or classes of buildings to the sewer works of the municipality; and

WHEREAS said Section 222 of the previous *Municipal Act* was repealed by the *Municipal Act*, 2001 and the latter Act contained a provision in Subsection 9 (2) thereof which stated: "(2) In the event of ambiguity and whether or not a municipality has the authority to pass a by-law under Sections 8 and 11, the ambiguity shall be resolved so as to include rather than exclude municipal powers that existed on December 31, 2002"; and

WHEREAS the said *Municipal Act*, 2001, Section 1, defines “public utility” *inter alia* as meaning a system that is used to provide a sewage service for the public and defines “sewage” *inter alia* to include storm water and other drainage from land.

WHEREAS Sections 78 to 93 inclusive of the said Act govern the provision of public utilities; and

WHEREAS Section 96 of the said Act provides that despite Section 19, a municipality may for the purpose of preventing damage to property in the municipality as a result of flooding, exercise its powers under the “drainage and flood control” sphere of jurisdiction in relation to flood control in the municipality, in another municipality or in unorganized territory, and

WHEREAS Section 97 of the said Act provides that a municipality may enter on land, at reasonable times, to inspect the discharge of any matter into a land drainage system of any person and may conduct tests and remove samples for this purpose, and

WHEREAS Subsection 435(1) of the said Act provides that a by-law of a municipality under any Act may (a) adopt by reference in whole or in part with such changes as the Council considers appropriate any code, standard, procedure or regulation; and (b) require compliance with any code, standard, procedure or regulation so adopted.”, and

WHEREAS Subsection 435(2) of the said Act provides that a copy of a code, standard, procedure or regulation adopted under this subsection shall be available for public inspection, and

WHEREAS the *Building Code Act*, S.O. 1992, Chapter 23, as amended, regulates and controls the location, construction, repair and renewal, or alteration of plumbing and materials to be used in the construction thereof, and further provides for the inspection of said plumbing works by officers duly appointed by municipal by-law; and

WHEREAS Section 107 of the *Municipal Act*, 2001 provides that despite any special provisions in the *Municipal Act*, or in any other general or special act, relating to the making of grants or granting of aid by the council of a municipality, the council of a municipality may, subject to Section 106 of the *Municipal Act*, 2001 make grants on such terms and conditions, as to security and otherwise, as the council may consider expedient to any person, institution, business, association, group or body of any kind for any purpose that in the opinion of the council is in the interests of the municipality, and

WHEREAS Section 425 of the *Municipal Act*, 2001 provides *inter alia* that a municipality, having jurisdiction, may pass by-laws providing that any person who contravenes any by-law is guilty of an offence; and

WHEREAS Section 92 of the *Municipal Act*, 2001 provides that:

“(1) A municipality may in a by-law prohibiting or regulating the discharge of any matter into a sewage system provide that a person who contravenes the by-law is guilty of an offence and is liable:

(a) on a first conviction to a fine of not more than \$10,000.00; and

(b) on any subsequent conviction, to a fine of not more than \$25,000.00.

- (2) Despite subsection (1), where the person convicted is a corporation, the maximum fines in clauses (1) (a) and (b) are \$50,000.00 and \$100,000.00 respectively.”

WHEREAS the *Provincial Offences Act*, Section 60 and 61 prescribe a maximum fine of \$5,000.00 plus court costs upon conviction of an offence established by municipal by-law and prosecuted under the Act, unless otherwise expressly provided by by-law.

WHEREAS the *Provincial Offences Act*, Subsection 1 (1) and Section 12 provides for the establishment of set fines, to be levied, subject to the approval of the Chief Justice of the Ontario Court (Provincial Division) against persons guilty of an offence under a municipal by-law, for the purposes of proceedings under Part I of the *Provincial Offences Act*; and

WHEREAS Section 1 of *Ontario Regulation 440/02* made under the *Municipal Act 2001* provides fees and charges for the use of a sewage system have priority lien status as described in Section 1 of the Act.

WHEREAS at the Council-in-Committee meeting of March 20, 2006, Report No. IS-11-06 was approved and subsequently ratified, directing staff to conduct a public notice and consultation period of two (2) consecutive weeks regarding the final draft of the proposed new Sewer Works and Drainage Works By-law; and

WHEREAS it is deemed necessary for the orderly development and control of the Sewer Works and Drainage Works, that certain regulations governing the construction, management and use, and the operation, maintenance, repair and rehabilitation, of the Sewer Works and Drainage Works be put into force; and

WHEREAS it is deemed expedient to consolidate previous by-laws with regard to the Sewer Works and Drainage Works;

NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

1. **THAT** the Sewer Works and Drainage Works Management Regulations and Standards and Offences and Penalties therefore for the Town of Fort Erie set out in Schedule “A” annexed hereto be and are hereby authorized and approved, and all the provisions thereof are part of this By-law.
2. **THAT** pursuant to the provisions of Section 227 of the *Municipal Act*, 2001, the Clerk of the Town of Fort Erie is hereby authorized to effect any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and Schedule “A” as may be deemed necessary after the passage of this By-law.

3. **THAT** insofar as such relates to the management, operation and maintenance of the Sewer Works and/or Drainage Works of the Corporation, By-law Nos. 240-96 is hereby repealed.
4. **THAT** By-laws No. 890-78, 90-87 and 160-2000 are hereby repealed.
5. **THAT** in the event of conflict between the provisions of this By-law and the provisions of any other by-law of the Corporation, the provisions of this By-law shall prevail.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24th DAY OF APRIL, 2006.



MAYOR



CLERK

I, the Clerk, Carolyn J. Kett, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law 68-06 of the said Town. Given under my hand and the seal of the said Corporation this _____ day of _____, 2006.

SCHEDULE "A"
TO BY-LAW 68-06:
BEING A BY-LAW TO REGULATE THE MANAGEMENT OF A SYSTEM OF SEWER WORKS AND
DRAINAGE WORKS IN THE TOWN OF FORT ERIE AND TO REPEAL VARIOUS BY-LAWS



THE CORPORATION OF THE TOWN OF FORT ERIE

SEWER WORKS AND DRAINAGE WORKS MANAGEMENT

REGULATIONS AND STANDARDS AND OFFENCES AND PENALTIES THEREFORE

THE CORPORATION OF THE TOWN OF FORT ERIE

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PART I – DEFINITIONS

1. For the purpose of this Schedule including Appendices:

1.1 “**Agent**” means a person authorized by the Corporation to provide services on behalf of the Corporation; or a person authorized by an Owner to provide services on behalf of the Owner, as applicable to the content of this Schedule.

1.2 “**appurtenance**” means the apparatus or equipment that is an accessory to the Sewer Works system or to the Drainage Works system, including municipal laterals and their components; or an accessory to private laterals; or to private sewage collection systems; or to a private drainage or stormwater management system.

1.3 “**backflow**” means flow reversal from the intended normal direction of flow.

1.4 “**backflow prevention device**” means a valve or other apparatus, which allows flow in one direction, but prevents flow in the opposite or return direction.

1.5 “**blank or blanking**” means the temporary or permanent decommissioning of a pipe by means of plugging, capping, or other method approved by the Engineer.

1.6 “**building**” means any permanent structure, trailer, or other covering, which is located on a parcel of land having frontage or which abuts on a public highway and/or the Sewer Works and/or the Drainage Works, and which:

- a) contains, or is required by any other by-law, regulation or statute to contain, any permanent sleeping, eating or food preparation facilities; or
- b) contains or is required by any other by-law, regulation or statute to contain, any washing or toilet or cleaning facilities; or
- c) is connected, or is required by any other by-law, regulation or statute to be connected, to a water supply system or a sewage collection system, or to the Water Works and /or the Sewer Works, and/or the Drainage Works; or
- d) is a source of sewage; or
- e) is habitable.

1.7 “**building drain**” means the horizontal piping, including any vertical offset that conducts sewage to a building sewer.

1.8 “**building sewer**” means that part of a building sewage drainage system outside a building that commences at a point one (1.0) metre from the outer face of the wall of the building and which connects the building sewage drainage system to a municipal sewer lateral or to an approved place of sewage discharge and disposal.

1.9 “**catch basin**” means a receptacle installed to collect surface water from an open area, for drainage into the Drainage Works, and to trap solids by means of a sump within the catch basin.

1.10 “**Chief Building Official**” means a chief building official and such inspectors as are appointed by the Corporation necessary for the enforcement of *The Building Code Act* and any other statutes referred to in this Schedule, and all persons authorized at the direction of the Chief Building Official for the purposes of exercising the power and duties of the Chief Building Official under this Schedule.

1.11 “**combined sewer**” means a sewer intended to function simultaneously as a sanitary sewer and a storm sewer.

1.12 “**connect**” (or “**connected**”, or “**connecting**” or “**connects**” or “**connection**”) means to install a sewer service connection or a drainage service connection, including laterals and lateral appurtenances.

1.13 “**Consumer**” means the occupant of the premises supplied with municipal sewer collection services or municipal storm water drainage services under the jurisdiction of the Corporation.

1.14 “**Corporation**” means The Corporation of the Town of Fort Erie.

1.15 “**Corporation Standards**” (or “**Standards of the Corporation**”) means all applicable design manuals, technical standards, drawings, specifications and guidelines of the Infrastructure Services Department and the Community and Development Services Department adopted by the Corporation of the Town of Fort Erie, from time to time, governing the construction, administration, operation, maintenance, repair, replacement and/or rehabilitation of the Water Works and Drainage Works.

1.16 “**cost**” means the expenses and costs of work done on and for the Sewer Works or Drainage Works, and in the making, inspecting, maintaining, repairing or replacing a service connection, including:

- a) permits and approvals,
- b) design,
- c) materials,
- d) labour,
- e) restoring any property disturbed or damaged,
- f) supervision and inspection of any work,
- g) studies, evaluations and investigations,

and including the amount of fees and expenses charged by the Corporation to the Owner when the Corporation makes a service connection at the expense of the Owner.

1.17 “**Council**” means the Municipal Council of the Corporation of the Town of Fort Erie.

1.18 “**Customer**” means any person, owner, firm, business, corporation, institute or identity who enters into a verbal or written contract or agreement with the Corporation to receive sanitary sewer collection services, or storm water collection services, from the Corporation.

1.19 “**Director of Corporate Services**” (or “**Treasurer**”) means anyone hired in the capacity of Director of the Corporate Services Department for the Corporation or any person or persons appointed, or designated by the Corporation from time to time for the purposes of exercising the powers or duties of the Director of Corporate Services under this Schedule.

1.20 “**discharge**” means to release or emit sewage or other waste liquid, or storm water or drainage water.

1.21 “**ditch**” (or “**drainage ditch**”) means a constructed open channel designed to convey storm water or drainage water from time to time; and where constructed as part of a roadway, designed to drain the road sub-base.

1.22 “**drain**” means a ditch, swale, channel, water course, pipe, and/or storm sewer that collects and carries storm, ground, surface or subsurface water or any of them, or part thereof, either continuously or intermittently, and including appurtenances such as manholes, catch basins, culverts, and interceptors.

1.23 “**drainage**”(or “**drainage system**”) means a natural or constructed means of intercepting, collecting and removing storm water or surface or subsurface drainage water, usually by gravity flow.

1.24 “**drainage service**” means a system of pipes and/or ditches and/or drains and required appurtenances of the Drainage Works designed to collect and transmit storm water and water to an approved drainage outlet

1.25 “**drainage service connection**” means a municipal drainage lateral and connected private drainage lateral including required appurtenances, connected to and discharging into the Drainage Works; or a pipe connecting a private storm water collection or management system to the Drainage Works.

1.26 “**drainage water**” means water originating from rain, storm or ground sources, or from the melting of snow or ice, that is drawn off or away from a building and the lands on which the building is built to the Drainage Works or to an approved outlet.

1.27 “**Drainage Works**” means any and all storm sewers, buildings, structures, equipment, appurtenances, devices, conduits, underground pipelines, municipal drainage laterals, drainage ditches, watercourses, and Municipal Drains and outlets created under the *Drainage Act*, and related installations and other works of the Corporation, designed for the collection and transmission of storm or drainage water; and includes lands over which an easement or consent has been granted or lands appropriated for such purposes and use.

1.28 “**Engineer**” means anyone hired in the capacity of Director of Infrastructure Services, or the person or persons appointed or designated by the Corporation from time to time for the purposes of exercising the powers or duties of the Engineer under this Schedule; or the Engineer’s duly authorized representative, or as the situation or context may require, all persons authorized at the direction of the Engineer to exercise the powers and duties of the Engineer under this Schedule.

1.29 “**extraneous flow**”(or “**inflow and infiltration**”) means the undesirable infiltration of groundwater and/or the undesirable, uncontrolled inflow of drainage or storm water into a sanitary sewer service connection or into a private sewer collection system, or into the Sewer Works.

1.30 “**foundation drain**” means a drainage piping installed below the surface of the ground to collect and convey water away from a building foundation.

1.31 “**inspection**” (or “**inspecting**”, or “**compliance inspection**”) means any physical or visual audit or examination, survey, sampling and testing, test or inquiry.

1.32 “**inspection tee**” means a vertical pipe connection to ground level, placed on a private sewer lateral, at or near the property line, and provided with a removable cast iron cap at ground level, constructed for the purpose of inspecting and evaluating the sewage flow in the sewer service connection.

1.33 “**interceptor**” means a receptacle installed to collect and prevent oil, grease, petroleum products, grit, sand and/or other materials from passing into the Sewer Works or Drainage Works.

1.34 “**leachate**” means water contaminated by dissolved or suspended materials as a result of percolation through contaminated ground, soil and/or solid waste or industrial waste.

1.35 “**main**” means any pipe collecting and transmitting sewage as part of the Sewer Work, or drainage or storm water as part of the Drainage Works, under the jurisdiction of the Corporation

and/or the Regional Municipality of Niagara, and includes all appurtenances exclusive of service connections.

1.36 “***maintenance hole***” means a junction chamber for mains and for service connections of the Sewer Works or Drainage Works or of a private sewage collection system or private drainage system, designed to permit access for inspection and maintenance purposes, and for the taking of sewage or storm water or drainage water samples.

1.37 “***multiple residential dwelling***”(or “***multiple residence***” or “***multiple residential premises***”) means a building or premises having four (4) or more living units or suites, or apartments.

1.38 “***Municipal Drain***” means a constructed watercourse created by by-law of the Corporation under the *Drainage Act* for the purposes of drainage of lands designated by the establishing by-law.

1.39 “***municipal drainage lateral***” means the pipes and appurtenances of the Drainage Works located within the right-of-way and situated between the main and the property line, providing the connection of a private sewer lateral to the Drainage Works.

1.40 “***municipal lateral***” means the pipes and appurtenances of a municipal sewer lateral, or a municipal drainage lateral.

1.41 “***municipal sewer lateral***” means the pipes and appurtenances of the Sewer Works located within the right-of-way and situated between the main and the property line; or up to but not including the inspection tee.

1.42 “***Operator***” means a person or persons who is the manager and/or administrator or Agent responsible for use, activity or process within a building or facility or premises serviced by the Sewer Works or Drainage Works.

1.43 “***outlet***”(or “***drainage outlet***”) means a location at which storm water or drainage water is discharged into a storm water management system, watercourse or natural stream or lake.

1.44 “***Owner***” means any person or persons who, or any firm, business, corporation or institute that is the registered owner of land or a building or buildings or premises under consideration, or any Agent or Contractor or Builder thereof, or a person entitled to a limited estate in the property, a trustee in whom the property is invested, an executor, an administrator and a guardian, to whom the context applies.

1.45 “***person***” means any individual, firm, corporation, partnership, Owner, Customer or Operator.

1.46 “***premises***” means a building or facility including associated lands, or lands, abutting on a right-of-way within which a main or ditch or drain is constructed.

1.47 “***private drain***” means a drain located on private property; a drain, which is privately owned.

1.48 “***private lateral***” means a private sewer lateral or a private drainage lateral.

1.49 “***private drainage lateral***” means the drainage pipes and appurtenances providing a connection to the Drainage Works located between the property line and one (1.0) metre from the outer face of the building foundation; or between the property line and a private drainage system.

1.50 “**private drainage system**” means a privately owned network of storm or drainage water ditches, swales, collection pipes, maintenance holes, interceptors and catch basins and appurtenances, discharging to the Drainage Works or other approved outlet.

1.51 “**private sewage collection system**” means a privately owned network of sewage collection pipes, maintenance holes, interceptors and appurtenances, servicing two or more buildings, discharging to the Sewer Works.

1.52 “**private sewer lateral**” means the pipes and appurtenances, including the inspection tee, providing a connection to the Sewer Works located between the property line, or the inspection tee, and one (1.0) metre from the outer face of the building foundation; or between the property line and a private sewage collection system.

1.53 “**private system**” means a private sewage collection system or a private drainage system.

1.54 “**rates**” means those rates, levies, rents or charges for the supply and/or use of sewer so described and itemized on Schedules in by-laws enacted by the Corporation from time to time.

1.55 “**Regional main**” means a pipe transmitting sewage, drainage or storm water under the jurisdiction of the Regional Municipality of Niagara and includes all associated appurtenances exclusive of sewer service connections.

1.56 “**right-of-way**” means lands acquired for or devoted to a public highway, lane or easement in which a main is located.

1.57 “**sanitary sewer**” means a system of pipes, mains and appurtenances of the Sewer Works for the collection and transmission of sewage; and into which storm, surface and ground waters are not intentionally discharged or admitted

1.58 “**Sanitary Sewer Master Plan**” means the latest version of the strategic plan governing the management and development of the Sewer Works approved by and as amended by Council from time to time.

1.59 “**service connection**” means a municipal service lateral and the connected private service lateral and required appurtenances forming a discharge connection to either the Sewer Works or the Drainage Works.

1.60 “**sewage**” (or “**wastewater**”) means any one of or a combination of domestic sanitary sewage and/or water borne waste, and/or non-domestic sanitary sewage and/or water borne waste, discharged from residences, businesses, recreational facilities, institutions or industry; including the unintentional and/or unauthorized inflow or infiltration of storm water or drainage water.

1.61 “**sewer**” means a sanitary sewer or pipe or main of the Sewer Works; or a storm sewer or a pipe or main of the Drainage Works.

1.62 “**sewermain**” means a sewage collection and transmittal pipe or main of the Sewer Works.

1.63 “**sewer service connection**” means the municipal sewer lateral and the connected private sewer lateral; or a pipe connection from a private sewage collection system to the Sewer Works.

1.64 “**Sewer Works**” means any and all buildings, structures, equipment, appurtenances, devices, conduits, underground pipelines, municipal sewer laterals, outlets, and related installations and other works of the Corporation, designed for the collection and transmission of sewage and includes lands over which an easement or consent has been granted or lands appropriated for such purposes and use.

1.65 “**sludge**” means sewage of high concentration; a heavy, thick deposit, sediment or mass; the precipitate from a sewage or septic tank.

1.66 “**storm drain**” means a conduit, pipe, ditch, swale or watercourse constructed to carry away storm water or surface water or drainage water, by gravity flow, to a storm sewer or outlet.

1.67 “**storm sewer**” means a storm water and/or drainage water collection and transmittal main, pipe, ditch and/or watercourse or combination thereof, including appurtenances, forming part of the Drainage Works.

1.68 “**storm water**” (or “**stormwater**”) means surface or ground water from rainfall or snowfall or other natural precipitation or from the melting of snow or ice; naturally occurring water collected and carried in the Drainage Works.

1.69 “**storm water leader**” (or “**downspout**”) means a pipe or system of pipes inside or outside a building that conveys storm water from a roof of a building or structure to an approved place of discharge.

1.70 “**storm water management**” (or “**storm water management system**”) means drainage control practices and constructed works implemented to protect property and natural or constructed watercourses and receiving waters from storm water impacts.

1.71 “**Stormwater Master Plan**” means the latest version of the strategic plan governing the management and development of the Drainage Works as approved by and as amended by Council from time to time.

1.72 “**swale**” means a vegetated open channel designed to control the transport, treatment and storage of storm water or drainage water.

1.73 “**uncontaminated water**” means potable water as supplied by the Corporation’s Water Works, or untreated water with a level of quality typical of potable water, as defined by regulations under the *Safe Water Drinking Act*.

1.74 “**unit**” mean residential, recreational, commercial, or industrial premises, which are separated or are capable of being separated, from any other premises recorded on the last revised assessment roll of the Corporation.

1.75 “**watercourse**” means an open channel, swale or ditch constructed as or resulting from the construction of a work in which a flow of storm water or drainage water occurs either continuously or intermittently, including roadway ditches, and including naturally occurring depressions, channels or streams draining into any such open channels, swales or ditches, whether forming part of or connected to the Corporation’s Drainage Works or forming part of a private drainage or stormwater management system; and including appurtenances.

1.76 “**Water service connection**” means the pipes conveying potable water to a building or premises from the Water Works or a private source of water.

1.77 “**Water Works**” means any and all buildings, structures, equipment, appurtenances, devices, conduits, underground pipelines, municipal water laterals, outlets, and related installations and other works so designed for the distribution of water and includes lands over which an easement or consent has been granted or lands appropriated for such purposes and uses.

PART II – ADMINISTRATION

2.1 GENERAL

- 2.1.1 This Schedule applies to the construction, management and use, and to the operation, maintenance, repair and rehabilitation of the Sewer Works, and of the Drainage Works, under the jurisdiction of the Corporation.
- 2.1.2 Sanitary Sewer Service Areas and Storm Sewer Service Areas covered under this Schedule are as identified in the Corporation's Official Plan and supporting Infrastructure Master Plans, and area specific servicing plans, as approved by Council through by-law adoption from time to time.
- 2.1.3 The Corporation shall manage and maintain the Sewer Works and the Drainage Works in accordance with the provisions this Schedule and the provisions of the *Municipal Act*, the *Ontario Water Resources Act*, the *Drainage Act*, the *Federal Fisheries Act*, the *Ontario Building Code Act* and the *Ontario Building Code*, and the *Provincial Offences Act*; and regulations, standards and guidelines established under these Acts and Codes from time to time; and any other applicable law or regulations in force from time to time.

2.2 ADMINISTRATIVE RESPONSIBILITIES

- 2.2.1 Administrative responsibilities are as follows:
 - a) The Engineer has overall responsibility for the enforcement of this Schedule and for administration and operation, maintenance, repair and rehabilitation of the Sewer Works and Drainage Works in accordance with this Schedule and with applicable statutes, regulations and guidelines; and the policies and by-laws adopted by Council from time to time.
 - b) The Chief Building Official is responsible for the enforcement of the *Ontario Building Code* and the issuance of any plumbing permits or orders related to the construction, maintenance, operation, repair and renovation of any part of the buildings and facilities served by the Corporation's Sewer Works, Drainage Works and Water Works; and for the inspection of work done under plumbing permits or orders.

2.3 PRINCIPLES

- 2.3.1 The following principles shall apply to managing and operating the Sewer Works and the Drainage Works:
 - a) Although best efforts will be made to provide adequate services, the Corporation does not guarantee the collection of sewage or drainage water, and failure to provide sewage or drainage water collection services shall not be construed as neglect on the part of the Corporation. The Corporation shall at no time be held liable for the inadequacies of such services, or for restricting the provision of such services, or for refusing to provide such services.

- b) Through the effective management of the Sewer Works and the Drainage Works, the Corporation will endeavour to ensure the health and safety of the public, to protect property from damage, to provide pollution prevention and control, and to protect the environment.
 - c) Rules, regulations, restrictions and standards set out in this Schedule shall govern and regulate the management and operation of the Sewer Works and the Drainage Works owned by the Corporation and connections thereto; and shall be considered to form an integral part of the service contract between the Corporation and any Owner, Operator or Customer for provision of sewage collection services or drainage services by the Corporation. Every such Owner, Operator or Customer by applying for and accepting the provision of services from the Corporation's Sewer Works or Drainage Works shall be deemed to have expressed his/her consent to be bound by the said rules, regulations, restrictions and standards.
 - d) Recommendations contained in the latest revision of the Sanitary Sewer Master Plan and the Storm Sewer Master Plan, and area specific servicing plans, as adopted by the Council by by-law from time to time, shall be implemented as appropriate, subject to resources limitations, through the annual budgeting process.
- 2.3.2 The following criteria shall be considered when determining and/or evaluating the priorities of capital projects for the Sewer Works and Drainage Works:
- a) Deficiencies in satisfying regulatory requirements; i.e., sanitary sewage leakage, sewage overflow restrictions, drainage water quality criteria.
 - b) Deficiencies due to physical defects and conditions; i.e., frequency of repair, repair cost history, high level of inflow and/or infiltration, material condition, utility location.
 - c) Deficiencies due to inadequate capacity; i.e., inability to handle existing or predicted flows, repeated occurrences of flooding.
 - d) Deficiencies in supporting development opportunities; i.e., unable to service potential commercial/industrial customers, economically viable expansion of the customer base.
 - e) Deficiencies in other associated municipal infrastructure; i.e., road, water distribution system deficiencies.
- 2.3.3 Initiatives should be developed and implemented to reduce extraneous flows.
- 2.3.4 The Sewer Works system shall be operated and maintained in accordance with the quality, operation and maintenance standards set out in Appendix "2" to this Schedule.

2.4 DESIGN AND CONSTRUCTION

- 2.4.1 Combined sewers are prohibited.
- 2.4.2 All extensions, rehabilitations and replacements to the Sewer Works and the Drainage Works shall be designed and constructed in accordance with current standards and guidelines established by the Ontario Ministry of the Environment and by the Corporation unless otherwise approved in writing by the Engineer.

- 2.4.3 Sewage collection services and storm water management and drainage system services for new subdivisions shall be planned, designed and constructed in accordance with the current version of the Corporation's "Subdivision Control Guidelines for Development of New Subdivisions", "Stormwater Management Facility Design, Operation and Maintenance Policy and Standards", "Site Plan Control Guidelines", and the "Lot Grading and Drainage Policy", unless otherwise approved in writing by the Corporation.
- 2.4.4 The Engineer in consultation with the Chief Building Official and Operations Division Staff shall establish and periodically update standards, guidelines, and specifications governing the design, construction, operation, maintenance, repair and rehabilitation of the Sewer Works and Drainage Works.

2.5 CRITICAL OCCURRENCES

Should a circumstance or condition arise that imperils the health and safety of the public, or imperils private or public property, or threatens the environment, or imperils the Sewer Works and/or Drainage Works; the Engineer shall take all remedial measures necessary and expend the necessary resources to protect public health, private or public property, the environment and/or the Sewer Works and/or Drainage Works; and shall report to Council on the actions taken and the resources utilized, as soon as practicable.

PART III – SANITARY SEWER AND DRAINAGE SERVICE CONNECTIONS

3.1 APPLICATION FOR SERVICE

- 3.1.1 No excavation shall be undertaken, no pipe shall be connected to, or provided from, the Sewer Works or the Drainage Works; and no pipe shall be replaced, relocated, disconnected or removed from the Sewer Works or the Drainage Works, without the prior written approval of, and under the supervision of, the Engineer.
- 3.1.2 All service connections to the Sewer Works and the Drainage Works, and all replacements to, relocations, disconnections or removals from the Sewer Works and Drainage Works, require prior approval through written application and the issue of a permit therefore by the Corporation as specified in Appendix “1” annexed to this Schedule.
- 3.1.3 The Owner shall pay all applicable charges for the supply, installation, replacement, relocation, or disconnection of sanitary sewer service connections and drainage service connections, at the fee and charges prescribed by Council through by-law adopted from time to time, paid in advance.
- 3.1.4 The application and permit referred to in Subsection 3.1.2 shall be in the form as may be prescribed by the Corporation from time to time.
- 3.1.5 In order to be granted a permit to connect to the Sewer Works, a building, premises or facility must be within a sewer service area as defined by the Official Plan of the Corporation as amended, and must have frontage or flankage abutting a sewermain of the Sewer Works.
- 3.1.6 In order to be granted a permit to connect to a storm sewer of the Drainage Works, a building, premises or facility must be within a storm sewer service area as defined by the Official Plan of the Corporation as amended, and must have frontage or flankage abutting a storm sewermain of the Drainage Works.
- 3.1.7 Connection to the Sewer Works or to the Drainage Works shall only be permitted where in the opinion of the Engineer there is sufficient capacity to handle the predicted peak flow.

3.2 OBLIGATION TO CONNECT TO THE SEWER WORKS

- 3.2.1 Every building, within a serviced area as defined by the Official Plan as amended, fronting or flanking on a sanitary sewer of the Sewer Works, shall be connected to the Sewer Works if any of the conditions of Part I defining the term “building” apply; and sewer service rates and fees charged as prescribed by Council through by-law adopted from time to time, despite the building being serviced by a separate private sewer system, unless otherwise approved by the Chief Building Official.
- 3.2.2 Where sanitary sewers have been installed within a road right-of-way or easement which abuts the property of an existing building, the affected property Owner shall connect at his/her expense to the completed sanitary sewer within twelve (12) months after the Corporation has sent notice to the property Owner by registered mail, to the property Owner’s last known address, requiring the connection to be made.

- 3.2.3 If any property Owner fails to connect to a newly constructed abutting sanitary sewer as required by Subsection 3.2.2, the Corporation shall commence billing the property Owner for sanitary sewer services, one (1) month after the required connection was to be made, at the monthly rate established by Council for sanitary sewer services through by-law adoption from time to time.
- 3.2.4 A direct connection shall be made to the Sewer Works in compliance with this Schedule; and any septic tanks, cesspools and similar private sewage disposal facilities shall be cleaned and filled, or removed or destroyed, within a period ten (10) calendar days after the connection has been made to the Sewer Works, to the satisfaction of the Chief Building Official.
- 3.2.5 Where specific health hazards exist, any property Owner shall connect all sanitary facilities within an existing building to the Sewer Works, in accordance with the Building Code, Part 7, within sixty (60) calendar days of receipt of a registered notice to make such connection from the Corporation and/or from the Medical Officer of Health, to the satisfaction of the Chief Building Official.

3.3 EXTENSION TO THE SEWER WORKS OR DRAINAGE WORKS

- 3.3.1 No extension of an existing sewermain shall be made unless the annual revenue to be derived from consumers benefiting from such an extension shall amount to at least ten percent (10%) of the total installation cost of such extension, unless funded under development charges or local improvement provisions, or unless it is in the best interests of the Corporation as determined by Council to make such extension.
- 3.3.2 Subsection 3.3.1 notwithstanding, if the Engineer so recommends, Council may consider an application by any Owner wishing to have any property served by the Sewer Works or Drainage Works, provided:
- a) Such Owner agrees to pay all associated costs of extending a sanitary sewer or a storm sewer so that it abuts the frontage or flankage of the property to be served. Where building development is expected to continue along a right-of-way, the extension of the sanitary sewer or storm sewer shall be across the entire frontage or flankage of the said property.
 - b) Such property is located within the serviced area boundaries as defined by the Corporation's Official Plan.
 - c) Any and all relevant governmental approvals are sought and obtained at the expense of such Owner; and without restricting the generality of the foregoing, including the Ontario Ministry of the Environment approval pursuant to the provisions of the *Ontario Water Resources Act*.
 - d) The Owner makes application for the service connection or connections; and for sewer service connections, obtains a plumbing permit from the Corporation.
 - e) The Owner provides the actual cash, or adequate security in substitution therefore as approved by the Director of Corporate Services, for the entire cost of extending the Sewer Works and/or Drainage Works; and such cash or other security to be deposited with the Corporation prior to any such work being effected by the Corporation or by the Owner as approved by the Corporation.

3.4 INSTALLATION REQUIREMENTS

- 3.4.1 Each building shall be provided with a separate sewer service connection, and a separate drainage service connection, unless otherwise authorized by the Engineer.
- 3.4.2 Drainage service connections shall be made to a storm sewer where provided or to a drainage ditch or storm water management system of the Drainage Works, at a location and in a manner approved by the Engineer.
- 3.4.3 Sump pumps shall connect to and discharge to the Drainage Works by means of a private drainage lateral, at a location and in a manner approved by the Engineer.
- 3.4.4 If no Drainage Works are available to which to discharge, sump pumps shall discharge to the lands of the building from which the sump pump discharge emanates, as specified by the Corporation's Lot Grading and Drainage Policy, to the satisfaction of the Chief Building Official
- 3.4.5 All plumbing and drainage installations, private sewer laterals and private drainage laterals, and alterations thereto, serving a building or private property or private premises, and all pipes, fittings, attachments, appurtenances, method of installation, maintenance, use, repair, renovations to, and removals of, any private sewer lateral, or private drainage lateral, shall be pursuant to, as required by and in compliance with the Ontario Building Code, Part 7, the current Corporation Standards, and this Schedule including Appendices "1" and "2" attached hereto.
- 3.4.6 All municipal sewer laterals, and municipal drainage laterals, shall be installed by the Corporation or its Agent, under the supervision of the Engineer, at the expense of the Owner, as set out in Appendix "1". Only on the prior written approval of the Engineer as set out in Appendix "1", the Owner or the Owner's Agent may undertake the installation of a municipal sewer lateral and/or a municipal drainage lateral.
- 3.4.7 The Corporation shall be responsible for the cost of maintaining municipal sewer laterals and municipal drainage laterals, and for keeping the same in operation and repair, as set out in Appendix "2".
- 3.4.8 Private sewer laterals from and including the inspection tee and private sewage collection systems, and private drainage laterals and private drainage systems shall be provided by and maintained by and at the expense of the Owner, as set out in this Schedule including Appendices "1" and "2" attached hereto.
- 3.4.9 Other than the connection to the building or premises being serviced, all other pipe connections to a sewer service connection or drainage service connection require the prior written approval of the Engineer.
- 3.4.10 The provision, installation and construction, operation and maintenance of maintenance holes, catch basins and interceptors shall be in accordance with Part V, and Appendices "1" and "2" of this Schedule and the current Corporation Standards.
- 3.4.11 Grease, oil, sand and grit interceptors shall be provided when, in the opinion of the Engineer or Chief Building Official, they are necessary, including for existing facilities, for the proper handling of sewage or drainage water containing grease, oil or petroleum products in excessive amount, or any inflammable wastes, and/or sand or grit in excessive amounts, or other harmful matter.

- 3.4.12 If any sewer service connection, municipal sewer lateral or private sewer lateral, or private sewage collection system or drainage service connection or private drainage system is made by an Owner or the Owner's Agent, contrary to the provisions of this Schedule, the Owner shall repair or replace such defective work or material within seven (7) calendar days after receipt of a notice from the Corporation requiring the Owner to do so; and if the Owner fails to repair or replace such work, the Corporation may at its sole discretion exercised by the Engineer, discontinue the supply of water from the Water Works. In addition, the Corporation may repair or replace the work, including the right to enter the building or premises or upon the lands; and the costs of such repairs shall be paid by the Owner, and if not paid, the costs shall be added to the tax roll for the property and collected in the same manner and with the same priorities as municipal taxes.
- 3.4.13 The installation of sewer service connections and drainage service connections and appurtenances shall be inspected and approved by the Corporation before backfilling commences.
- 3.4.14 Final acceptance and approval to backfill and put into service a sewer service connection or a drainage service connection is not a guarantee or warranty that the service will perform satisfactorily and be trouble free.

3.5 SEWAGE BACKFLOW PREVENTION

- 3.5.1 An approved sewage backflow prevention device shall be installed in the sanitary sewage discharge plumbing, in advance of the private sewer lateral, in all new buildings with basements or below grade crawl spaces, unless otherwise approved by the Chief Building Official.
- 3.5.2 If in the opinion of the Chief Building Official, in consultation with the Engineer, an existing building is likely to experience, or has experienced, sewage backup as the result of a storm event; the Corporation will provide financial assistance to the Owner, upon written application, for the installation of an approved backflow prevention device in the amount of one hundred percent (100%) reimbursement of the total cost of the installation, to a maximum of \$1,000.00, subject to budget approval by Council and the availability of funds.
- 3.5.3 Backflow prevention devices shall be of a design approved by the Corporation and installed as prescribed by the Ontario Building Code, Part 7 and in a manner specified by the Chief Building Official.
- 3.5.4 Backflow prevention devices shall be installed and maintained readily accessible for inspection and maintenance.
- 3.5.5 Backflow prevention devices shall be maintained in good working order and protected, including protection from freezing, by the Owner at his/her expense.

3.6 STORM DRAINAGE REQUIREMENTS

- 3.6.1 Storm water pipes, drainage service connections, drainage water pipes, drainage sump pump discharge laterals, foundation drains, storm water leaders or downspouts shall not be connected directly or indirectly to the Sewer Works, unless otherwise approved by the Engineer.

- 3.6.2 The discharge of storm water leaders, downspouts, sump pumps, and foundation drainage water from any building shall be in accordance with the latest version of the Corporation's Subdivision Development Standards and the Corporation's Lot Grading and Drainage Policy.
- 3.6.3 When a Corporation storm sewer is constructed within a street or right-of-way that was previously served only by a Corporation combined sewer, the Corporation combined sewer shall subsequently be dedicated as a Corporation sanitary sewermain of the Sewer Works, and all storm drainage from any abutting building or property shall be disconnected from that Corporation sanitary sewermain. Abutting property owners may connect their building or property storm drain to the new Corporation storm sewer of the Drainage Works, on application and approval as per Appendix "1", or may discharge the storm water to the surface of the lands from which it emanates, as specified by the Corporation's Lot Grading and Drainage Policy.
- 3.6.4 If Corporation Drainage Works are not available to a property, the Corporation, may at its discretion, require the construction of a storm sewer or storm drain from that property to the closest available legal drainage outlet, at the Owner's expense before authorizing issuance of a building permit.
- 3.6.5 Before issuing a building permit, or before approval of the construction of a drain or modifications to a drain, or before approval of a connection to a drain or in anticipation of possible adverse consequences from potential future flooding of the subject or surrounding lands, or potential adverse drainage water quality; the Corporation may require the Owner to complete one or more of the following matters, upon receipt of notice from the Engineer, to that affect:
- a) a study on storm water quality and/or quantity;
 - b) modification and/or construction of storm water facilities;
 - c) adoption and implementation of pollution prevention techniques and measures;
 - d) adoption of a storm water management plan; or
 - e) any other requirement as specified by the Engineer or Council.
- 3.6.6 Where an Owner fails to comply with Subsection 3.6.5, the Engineer may make an Order directing the Owner, within seven (7) calendar days of the issuance of the Order, to take such steps as are necessary to comply as outlined in the Order. If the Owner fails to comply with the Order within seven (7) calendar days, the Engineer may cause such work as necessary to be done at the Owner's expense; and if not paid, the costs may be added to the tax roll for the property and collected in like manner and with the same priority as municipal taxes.

3.7 COMMENCEMENT OR DISCONTINUANCE OF SERVICE

- 3.7.1 The termination of service connection or connections to private sewage collection systems or private drainage systems shall be capped or plugged to the satisfaction of the Chief Building Official until connection to the Sewer Works or Drainage Works is approved by the Engineer.

- 3.7.2 Once a sewer service connection or a drainage service connection has been installed and put into service, such connection shall not be disconnected from the Sewer Works or Drainage Works without the prior written approval of the Engineer.
- 3.7.3 Where a new or replacement service connection is installed, or where the Corporation has blocked off or capped the discharge from an existing service connection; no person other than an Employee or an Agent of the Corporation, so authorized by the Engineer or Chief Building Official, shall remove the blockage or capping so as to recommence or reinstate the service connection.
- 3.7.4 Where an existing service connection is approved and operating, Subsection 3.7.2 notwithstanding, a duly qualified and licensed plumber, when making repairs, may temporarily block off the collection of discharge, and upon completion of the repairs, shall immediately reinstate the collection of discharge.
- 3.7.5 If first authorized by the Engineer or Chief Building Official, a duly qualified and licensed plumber may, Subsection 3.7.3 notwithstanding, temporarily initiate the collection of sewage or drainage water to test and correct any service connection installation and upon completion of the test and correction, immediately reinstate the blockage of discharge.
- 3.7.6 Where the Corporation has caused a service connection believed to be defective to be capped or blanked, or where the Corporation has caused the water service to be shut off due to a defective sewer service; the service connection shall not be restored, nor the water service restored, until the Engineer or Chief Building Official has been satisfied that no such defect exists, or that any defect therein has been properly rectified in accordance with the standards established under this Schedule, including Appendices "1" and "2" attached hereto.
- 3.7.7 In compliance with Subsection 3.7.2, the Owner of a building provided with a service connection shall provide written notification to the Corporation when use of the service connection is to be discontinued and capped or blanked and obtain a permit to do so; and shall pay to the Corporation a disconnection fee as prescribed by the Council through by-law adopted from time to time.
- 3.7.8 Any Owner requiring the discontinuation of a service connection for the purpose of demolition, or for other reasons, shall excavate, backfill and reinstate the excavation so that the service connection may be properly capped or blanked and inspected by the Corporation.
- 3.7.9 Where building demolition is undertaken, the Owner shall cap or blank all service connections to the satisfaction of the Chief Building Official and before the commencement of demolition work.
- 3.7.10 The capping or blanking of a service connection shall be made at such location and in such manner as specified by the Chief Building Official, and shall be inspected prior to backfill.
- 3.7.11 Where a building has been demolished and the property Owner proposes to utilize the existing service connection or connections to serve a new building, the Owner must first obtain the written approval of the Engineer to do so.

- 3.7.12 A disconnected, capped or blanked service connection shall not be reconnected or reinstated without reapplication for the service connection in accordance with Appendix "1" and payment of applicable fees prescribed by the Council through by-law adopted from time to time.

3.8 RESPONSIBILITY OF OWNER

- 3.8.1 The entire cost of providing, installing, operating, maintaining, and repairing, and replacing, relocating or renewing, any private sewer lateral or private sewer collection system, and any private drainage lateral or private drainage or storm water management system, and appurtenances connected thereto including inspection tees, shall be the responsibility of and paid for by the Owner.
- 3.8.2 Every Owner shall maintain their private sewer lateral or private sewage collection system and private drainage lateral or private drainage or storm water management systems, including appurtenances connected thereto, in good working order and condition, and adequately protected from blockage and freezing. Private sewer laterals and private sewage collection systems shall be maintained free from drainage and storm water inflow and infiltration.
- 3.8.3 Every Owner whose property abuts or includes a drainage ditch of the Drainage Works shall maintain the drainage ditch free of debris, and obstructions or blockages to drainage flow.
- 3.8.4 Inspection tees shall be installed in all private sewer laterals at the expense of the Owner as specified in Appendix "1" attached hereto, and shall be maintained in good order and accessible at all times, and free from drainage water inflow and ground water infiltration.
- 3.8.5 Should a leakage occur from a private sewer lateral or private sewage collection system, or from a sewage holding tank, or from a septic tank system or any other private sewage treatment system; the Owner shall be bound to take corrective action and to complete repairs of the said leakage, at the Owner's expense, within seven (7) calendar days after being duly notified by the Corporation of such leak detected. In the event of non-compliance with this provision by the Owner, the Corporation may, at its sole discretion exercised by the Engineer, discontinue the supply of water from the Water Works until the Owner has made the necessary repairs. All repairs are to be inspected and approved by the Chief Building Official prior to backfill.
- 3.8.6 The Owner shall indemnify the Corporation for any loss or damage to the Corporation, or to any person, that may occur in or as a result of any work carried out or actions by the Owner, or an Agent of the Owner, as required under this Schedule.
- 3.8.7 Every Owner shall, at all reasonable times and upon reasonable notice given and request made, allow and provide access to their building or premises to the Engineer and/or Chief Building Official, and/or any person duly authorized by the Corporation, for the purpose of conducting a compliance inspection and taking corrective action, and/or to carry out work, all as permitted under this Schedule, the *Ontario Building Code*, or the *Municipal Act 2001*.
- 3.8.8 Every Owner shall be responsible for advising the Corporation, attention to the Director of Corporate Services, of any change in the sewer service connection or

drainage service connection application information including changes to the Owner's address and telephone number, and selected method of account payment.

- 3.8.9 Only the Owner may request the discontinuation of a sewer services connection or drainage service connection. Such requests shall be made in writing attention to the Director of Corporate Services in a form specified by the Corporation.
- 3.8.10 At the written request of the Owner, and when resources can be made available, and at the discretion of the Engineer; the inspection of private sewage collection systems and/or private drainage or storm water management systems, including the preparation of a report on the condition of the systems, may be carried out by the Infrastructure Services Department of the Corporation, on a cost recovery basis.

3.9 COMPLIANCE INSPECTIONS AND CORRECTIVE ACTIONS

- 3.9.1 The Engineer and/or Chief Building Official or any person duly authorized by the Corporation shall be allowed access to a building or premises, at all reasonable times, and upon reasonable notice given and request made to the Owner, Operator or Customer, for the purpose of inspecting, maintaining, repairing, disconnecting or reinstalling a sewer service connection or a drainage service connection as permitted by this Schedule or by the *Ontario Building Code* or by the *Municipal Act 2001*.
- 3.9.2 Any costs incurred by the Corporation in conducting inspections and subsequent reporting or in effecting any corrective action, shall be payable to the Corporation by such Owner, Operator or Customer; and if not paid, the costs shall be added to the tax roll for the property and collected in the same manner and with the same priority as municipal taxes.
- 3.9.3 Should any Owner or Operator or Customer of a service connection refuse entry to any authorized officer, inspector, employee or Agent of the Corporation for the purposes of any compliance inspection, maintenance, repair, disconnection or reinstallation and /or other corrective action, under the provisions of this Schedule or the *Ontario Building Code*, or the *Municipal Act*, 2001; the Corporation may, at its sole discretion exercised by the Engineer, on the provision of seven (7) calendar days notice, discontinue the supply of water to the Owner or Operator or Customer of the service connection until such required inspection and corrective action or required work has been completed to the satisfaction of the Corporation.

PART IV – RESTRICTIONS

4.1 GENERAL RESTRICTIONS

- 4.1.1 Except as authorized in writing by the Engineer, only sewage that originated from the Water Works may be discharged to the Sewer Works.
- 4.1.2 No person shall discharge to the environment within any area under the jurisdiction of the Corporation; any sanitary sewage, contaminated or polluted water, except where suitable treatment of the discharge is provided and approved by the Engineer, or the Chief Building Official.
- 4.1.3 No person shall discharge or deposit, or cause or permit to be discharged or deposited, into or in the Sewer Works, or into or in the Drainage Works, a substance, material or object, which is or may become harmful to the Sewer Works or Drainage Works or the environment.
- 4.1.4 No person shall conceal, interfere with, construct or maintain anything or cause or permit to be concealed or interfered with or constructed or maintained anything, that has the effect of concealing or interfering with access to a municipal or private maintenance hole, interceptors, catch basins or a sewer lateral inspection tee.
- 4.1.5 No person except an employee of, or Agent of, or contractor engaged by the Corporation shall uncover, enter, make any connection to or opening into, use, alter or disturb the Sewer Works or Drainage Works without first obtaining the approval of the Engineer.
- 4.1.6 Subsection 4.1.5 notwithstanding, an abutting Owner or his Agent may without approval enter into a drainage ditch of the Drainage Works for the purpose of clearing the ditch of growth or debris, or to clear an obstruction or blockage. Such cleaning or clearing shall not alter the invert of the ditch.
- 4.1.7 No person shall remove or tamper with or cause or permit any removal or tampering with, any maintenance hole cover, grate, cap, or any other opening into the Sewer Works or Drainage Works without the prior approval of the Engineer.
- 4.1.8 Upon the provision of reasonable notice permitted by the requirement or circumstance, the Engineer may temporarily restrict the use of the Sewer Works or Drainage Works, including the temporary shut-off of water from the Water Works, from time to time as necessary, to carry out inspections, cleaning, maintenance, repairs, service connection, modifications, replacement, relocation, or rehabilitation to any part of the Sewer Works or Drainage Works.
- 4.1.9 If any matter prohibited under Sections 4.2 or 4.3 is discharged to or into the Sewer Works or Drainage Works in combination with, or mixed with or in, water provided from the Water Works, the Corporation at its sole discretion, exercised by the Engineer, may discontinue the supply of water from the Water Works until such time as action has been taken to stop and prevent the prohibited discharge.

4.2 SEWER WORKS USE RESTRICTIONS

- 4.2.1 Unless permitted to do otherwise under this Schedule, no person within a serviced area shall fail to ensure that sewage from a building or premises is discharged into a sanitary sewer of the Sewer Works.
- 4.2.2 No person, unless specifically authorized by the Engineer in writing, shall cause or permit the entry of storm water or drainage water of any kind into the Sewer Works.
- 4.2.3 The foundation drainage system sumps shall not be constructed with high water level overflow provisions discharging directly into the building drain unless otherwise authorized in writing, by the Engineer.
- 4.2.4 No person shall discharge or deposit, or cause or permit to be discharged or deposited, into or in the Sewer Works, sewage which contains more than 100 milligrams per litre of fat, oil, grease, or other matter, of animal or vegetable origin.
- 4.2.5 No person shall discharge or deposit, or cause or permit to be discharged or deposited, into or in the Sewer Works, sewage which contains more than 15 milligrams per litre of oil, grease, or tar, or other matter, of other than animal or vegetable origin.
- 4.2.6 No person shall install any food or garbage-grinding device, the effluent from which will discharge directly or indirectly into the Sewer Works.
- 4.2.7 The use of the Sewer Works and sewage discharge characteristics shall conform to the restrictions of the Regional Municipality of Niagara Sewer Use By-law No. 39-2002 as amended from time to time.
- 4.2.8 A person responsible for a discharge to the Sewer Works, which may be considered hazardous to persons, property or animals; or for any discharge which may be considered detrimental to the efficient operation, or safety of the Sewer Works, or the treatment systems of the Regional Municipality of Niagara, or personnel thereof; or for any discharge which contravenes the sewage discharge characteristic restrictions prescribed by the Regional Municipality of Niagara Sewer Use By-law No. 39-2002 as amended from time to time, shall immediately notify the Corporation and the Regional Municipality of Niagara of such discharge.
- 4.2.9 No person shall directly or indirectly discharge or deposit, or cause or permit to be discharged or deposited, any type of hauled sewage or hauled sewage sludge into or in the Sewer Works without the prior written approval of the Engineer.
- 4.2.10 All costs incurred by the Corporation or by the Regional Municipality of Niagara as a result of a hazardous or non-complying discharge shall be borne by the responsible Owner or person; if not paid, the costs may be added to the property tax roll of that Owner and collected in the same manner and with the same priority as municipal taxes.

4.3 DRAINAGE WORKS USE RESTRICTIONS

- 4.3.1 Unless permitted to do otherwise under this Schedule, no person shall fail to ensure that storm water or drainage water is discharged into the Drainage Works or into an approved storm water management system, or to an approved drainage outlet.

- 4.3.2 All multi-unit residential, commercial, recreational, industrial and institutional buildings and premises shall be served with storm sewer or drainage system, or storm water management systems, separated from the Sewer Works.
- 4.3.3 All storm water or drainage water of any nature or kind, including roof water, surface water, ground water and water from sump pumps or foundation drainage systems must either:
- a) be discharged into the Drainage Works of the Corporation,
 - b) be allowed to disburse only upon the lands of the Owner of the building or lands from which such storm water or drainage water exits,
 - c) be discharged to a private drainage system or to a private storm water management system,
 - d) be discharged to a watercourse,
 - e) be discharged to an approved drainage outlet, or
 - f) such other place as the Corporation may direct.
- 4.3.4 No person shall directly or indirectly discharge or deposit, or cause or permit to be discharged or deposited, any sewage of any kind in or into the Drainage Works.
- 4.3.5 No person shall directly or indirectly discharge or deposit, or cause or permit the discharge or deposit of matter of any type in or into the Drainage Works, or into any drainage service connection, or into any ditch or drain, or into any stormwater management system, where:
- (a) To do so may cause or result in,
 - i) damage to the Drainage Works;
 - ii) interference with proper operations of the Drainage Works;
 - iii) blockage, obstruction or restriction of stormwater flows or drainage flows therein;
 - iv) a hazard to any person, animal, property, or vegetation;
 - v) impairment of the quality of the water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;
 - vi) the contravention of a certificate of approval or provisional certificate of approval issued under the *Ontario Water Resources Act* or the Ontario Environmental Protection Act, as amended, with respect to the storm sewer and/or its discharge;
 - vii) the contravention of the *Fisheries Act* with respect to the Drainage Works and/or its discharge from the Drainage Works into a water course; or
 - (b) The matter has characteristics prohibited by the Regional Municipality of Niagara Sewer Use By-law No. 39-2002 as amended from time to time.

4.4 MAINTENANCE, REPAIR AND ALTERATION OF PRIVATE DRAINS

- 4.4.1 No Owner, Lessee, Operator, Occupant or person shall alter, fill, obstruct, block or in any way interfere with a private drain, including allowing a private drain to fall into disrepair such that the flow of storm, ground, surface or subsurface water from or to another private land is interfered with to the extent that the Owners, Lessees, Operators or occupants of such other private land suffer damages or are inconvenienced.
- 4.4.2 Every Owner, Lessee, Operator or Occupant of land shall keep in repair any private drain on land owned or occupied by them. Every Owner, Lessee, Operator or Occupant of land shall alter, relay or repair any private drain as may be required by the Engineer.
- 4.4.3 The Engineer may send to, or serve on, the Owner, Lessee, Operator or Occupant of any land a notice requiring the Owner, Lessee, Operator or Occupant, or any of them to maintain, repair, alter, relocate, or relay any private drain, within a specified number of calendar days, as may be required by the Engineer pursuant to Subsections 4.4.1 and 4.4.2.
- 4.4.4 If an Owner, Lessee, Operator or Occupant of any land fails to comply with the Engineer's notice sent or served under Subsection 4.4.3 the Engineer may cause the required work to be done; and the cost of such work shall be paid by the said Owner, Lessee, Operator or Occupant; and if not paid may be added to the municipal tax roll of the property of which the work was done and collected in like manner and with the same priority as municipal taxes.

4.5 CORRECTION OF OBSTRUCTIONS TO DRAINS

- 4.5.1 If any Owner, Lessee, Operator, Occupant or person causes or permits the blockage or obstruction of any drain or private drain, the Engineer may by written notice to, or served on, such person, require such person to remove the blockage or obstruction within a specified number of calendar days of receipt of said notice.
- 4.5.2 If a Owner, Lessee, Operator, Occupant or person fails to remove a blockage or obstruction of a drain or private drain, within the specified number of calendar days, as required by the Engineer's notice; the Engineer may cause the blockage or obstruction to be removed, at the expense of said person; and if costs are not paid, the costs may be added to the tax roll of the property within which or abutting which the blockage or obstruction occurred, and collected in like manner and with the same priority as municipal taxes.

4.6 SUPPLY OF SERVICES FOR CONSTRUCTION PURPOSES

- 4.6.1 Owners or Builders or Contractors requiring sewage collection and/or drainage services for construction purposes shall make an application to the Corporation as specified in Appendix "1" and shall furnish all information so required and shall pay to the Corporation the fee prescribed by Council for that purpose through by-law adopted from time to time.
- 4.6.2 Owners, Builders and Contractors shall only be permitted to discharge sewage to the Sewer Works, and storm or drainage water to the Drainage Works, at connection locations and in a manner specified by the Engineer, and as may be altered from time to time by the Engineer.

- 4.6.3 Any storm water or surface water or groundwater collected within any excavation, or in any completed basement, shall be drained to a storm water drainage system, storm sewer or roadside ditching, by pumping if gravity drainage is not possible.
- 4.6.4 No connection shall be made, either directly or indirectly, to the municipal sewer lateral, or to any maintenance hole, or interceptor, or other part of the Sewer Works, until the building roof is completed, unless otherwise approved in writing by the Engineer.

4.7 THAWING OF FROZEN SERVICE CONNECTIONS

- 4.7.1 No person shall undertake the thawing of any main or service connection of the Sewer Works, or Drainage Works, except with the prior approval and under the direction of the Engineer.
- 4.7.2 Thawing of private sewer laterals or private drainage laterals shall only be carried out at the request of the Owner and at the Owner's risk and at the fee prescribed by Council through by-law adopted from time to time.
- 4.7.3 Thawing of private sewage collection systems and private drainage systems may be carried out by the Infrastructure Services Department of the Corporation, at the discretion of the Engineer, at the written request of the Owner, on a cost recovery basis, when resources can be made available.
- 4.7.4 Thawing operations shall not be undertaken by any person when in the opinion of the Engineer such action presents an unacceptable hazard.

4.8 DISCONNECTION OF DRAINAGE CONNECTIONS TO THE SEWER WORKS

- 4.8.1 The Owner of any building or premises which has a drain, storm water leaders, downspouts, foundation drains and/or sump pumps connected into the Sewer Works of the Corporation shall at their expense disconnect such drain, storm water leaders, downspouts, foundation drains and sump pumps from the Corporation's Sewer Works within ninety (90) calendar days after the Corporation has sent notice to the Owner by registered mail, to the Owner's last known address, to make such disconnection.
- 4.8.2 Provided first that there be funds available, as approved through the Corporation's annual budget deliberations, the following financial assistance, may be considered to provide Owners with financial assistance for costs of repairs made to disconnect drainage connections from, and to reduce extraneous flow, into the Sewer Works:
- i) Full (100%) reimbursement to a maximum of \$100.00 funding for the removal of roof leaders from the sanitary sewer.
 - ii) Full (100%) reimbursement to a maximum of \$500.00 funding for the removal of existing sump pump connections from the sanitary sewer.
 - iii) Full (100%) reimbursement to a maximum of \$1,500.00 funding for the repair or replacement of a leaking private sewer laterals.
 - iv) Full (100%) reimbursement to a maximum of \$2,500.00 funding for the removal of foundation drains connections from the sanitary sewer.

**PART V – MULTIPLE RESIDENTIAL, COMMERCIAL,
INSTITUTIONAL, INDUSTRIAL PREMISES**

- 5.1 Council may impose restrictions on the multiple residential dwelling, industrial, commercial, recreational and/or institutional use of the Sewer Works or Drainage Works as may be set out in a resolution adopted by Council from time to time.
- 5.2 Every maintenance hole, interceptor, catch basin, device or appurtenance installed as required by this Schedule shall be designed and constructed in accordance with Ontario Provincial Standards, the Standards of the Corporation, Appendix “1” to this Schedule, and good engineering practice, to the satisfaction of the Engineer; and shall be constructed and maintained at a location and in a manner prescribed by the Engineer, at the Owner’s or Operator’s expense.
- 5.3 All necessary drainage piping, drains, catch basins, interceptors and connections to the Drainage Works shall be provided to accommodate storm drainage from roof and ancillary hard surfaced areas (parking, storage areas, roadways, etc.) from all multiple residential, industrial, recreational, commercial and institutional premises.
- 5.4 The Owner or Operator of a multiple residential building or commercial, recreational, institutional, or industrial premises with one or more connections to the Sewer Works shall install, and maintain in good repair and operating condition, in each connection, a suitable interceptor to prevent the entry of grease, oil, petroleum products, sand, grit and dirt into the Sewer Works, unless otherwise approved in writing by the Engineer.
- 5.5 When a change in occupancy or use of a building or premises may result in the discharge of grease, oil, petroleum products or like substance, the sewer service connection to such building or premises shall be provided with an approved grease, oil and petroleum products interceptor.
- 5.6 All drainage service connections from commercial, recreational, industrial and institutional parking facilities shall be provided with sand, grit, oil and petroleum products interceptor meeting Ontario Ministry of the Environment standards for storm water quality management.
- 5.7 Food preparation areas of every hotel, boarding or eating house, restaurant or bed and breakfast establishment or other similar establishment, shall be connected to a grease interceptor installed in conformance with the Ontario Building Code, Part 7, and the Standards of the Corporation and so placed as to be easily accessible to open and clean.
- 5.8 The Owner or Operator of a multiple residential dwelling, or commercial, institutional, or industrial premises with one or more connections to the Sewer Works shall install and maintain in good repair and operating condition, for each connection, a suitable maintenance hole of a design and at a location approved by the Engineer; to allow observation, sampling, testing, and measurement of the flow therein.
- 5.9 The Owner or Operator of a multiple residential dwelling, or commercial, institutional or industrial premises shall connect to and discharge storm water and/or drainage water to the Drainage Works through a maintenance hole, of a design and at a location approved by the Engineer, unless otherwise approved in writing by the Engineer.

- 5.10 The Owner or Operator of a multiple residential dwelling, or commercial, recreational, institutional or industrial premises shall, at the discretion of the Engineer, install devices to monitor discharges to the Sewer Works or Drainage Works to the satisfaction of the Engineer; and if required to make such installation, shall submit regular reports to the Corporation regarding such discharges as specified by the Engineer.
- 5.11 An Owner or Operator required by this schedule to install a maintenance hole, or interceptor or alternative device shall ensure such maintenance hole, or interceptor, or alternative device is accessible at all times for the purposes of observing, maintaining, cleaning, sampling, testing, and measuring the flow therein.
- 5.12 All maintenance holes, interceptors, catch basins, devices or appurtenances required under this Schedule shall be maintained by and at the expense of the Owner or Operator in a continuously efficient and safe operating condition at all times.
- 5.13 Where the Owner or Operator of a multiple residential dwelling, commercial, recreational, institutional or industrial premises fails to install or maintain any maintenance hole, interceptor, catch basin, or alternative device required under this Schedule, such installation or maintenance may be done by the Corporation, at the direction of the Engineer, at the expense of the Owner or Operator; and if not paid the costs incurred may be added to the tax roll for the property and collected in like manner and with the same priority as municipal taxes.
- 5.14 Subject to the prior approval of the Ontario Ministry of the Environment, industrial cooling water or unpolluted process waters may be discharged to the Drainage Works or to a drainage outlet at a location and in a manner approved by the Engineer.

PART VI – PROHIBITIONS, ENFORCEMENT AND PENALTIES

6.1 INTERFERENCE WITH THE SEWER WORKS OR DRAINAGE WORKS

Every person who:

- (1) throws, discharges or deposits any substance or material into or in the Sewer Works or Drainage Works, which in any way fouls, obstructs or blocks flows in the Sewer Works or in Drainage Works, or causes or permits the same to be done; or
- (2) discharges or deposits, or causes or permits to be discharged or deposited, into or in the Sewer Works or Drainage Works a substance which is or may become harmful to a person; or
- (3) discharges or deposits, or causes or permits to be discharged or deposited, into or in the Drainage Works a substance which is or may become harmful to the natural environment; or
- (4) discharges or deposits, or causes or permits to be discharged or deposited, into or in the Sewer Works or Drainage Works, sewage, wastewater, liquid or any substance which is prohibited by this Schedule or by the Regional Municipality of Niagara's Sewer Use By-law, as amended;

is guilty of an offence and on conviction is liable to a fine, exclusive of costs, to the use of the Corporation pursuant to the provisions of the Municipal Act 2001, Section 92; and is also liable for the cost of all damages and financial losses occasioned thereby, which are recoverable under provisions of the *Municipal Act*, 2001.

6.2 PROHIBITIONS AND OFFENCES

Every person who:

- (1) being a building or premises Owner, fails to connect to a sanitary sewer constructed within a road right-of-way abutting said Owner's property, as required by this Schedule; or
- (2) being an Owner or Operator, fails to control the discharge of storm water or drainage water, as required by Corporation Standards; or
- (3) without a permit or prior authorization, connects, or causes to be connected, any pipe or private lateral to any pipe or main or maintenance hole or other appurtenance of the Sewer Works or Drainage Works; or
- (4) fails to obtain an approved service connection permit as set out in Appendix "1" of this Schedule; or
- (5) fails to construct a private sewer lateral, or private drainage lateral, in conformance with this Schedule; or
- (6) fails to construct a private sewage collection system or private drainage system in conformance with Corporation Standards; or
- (7) connects a private lateral to the Sewer Works or Drainage Works prior to approval and inspection; or

- (8) connects a private drainage system to the Drainage Works prior to approval and inspection; or
- (9) connects a private sewage collection system to the Sewer Works prior to approval and inspection; or
- (10) fails to inform the Chief Building Official that installation of a private sewer lateral, or private drainage lateral is available for inspection; or
- (11) fails to undertake and report the results of specified tests required under this Schedule to ensure that the installation of a service connection meets standards and specifications, and functions adequately; or
- (12) having been given appropriate and adequate notice, fails to provide access to a building or premises for the purpose of inspecting, maintaining, repairing, modifying or replacing a service connection including appurtenances thereof; or
- (13) having been given appropriate and adequate notice, fails to provide access to a building or premises for the purposes of inspecting and ensuring compliance with this Schedule and taking corrective action as required, including access to a private sewer collection system, or to a private drainage system, and appurtenances thereof; or
- (14) wilfully hinders or interrupts, or causes to be hindered or interrupted; the Corporation or any of its Officers, Agents, Workers or Contractors, in the exercise of any of the powers or duties conferred by this Schedule; or
- (15) without prior written approval of the Engineer, discharges, or causes or permits to be discharged, to the Sewer Works, any sewage containing water from a source other than the Water Works; or
- (16) without prior written approval of the Engineer, discharges or causes or permits to be discharged, either directly or indirectly, storm water, ground water or leachate, or drainage water, into or in the Sewer Works; or
- (17) without the prior written approval of the Engineer, discharges or deposits, or causes to be discharged or deposited, any type of hauled sewage or hauled sludge into or in the Sewer Works; or
- (18) fails to notify the Corporation of a discharge to the Sewer Works or Drainage Works that is in violation of the Sewer Works use or Drainage Works use restrictions of this Schedule; or
- (19) fails to notify the Corporation of a discharge to the Sewer Works or Drainage Works that is or may be hazardous to a person; or
- (20) fails to notify the Corporation of a discharge to the Drainage Works that is or may be hazardous to the natural environment; or
- (21) fails to adequately protect a service connection from damage, including from freezing;
or
- (22) fails to provide the “as built” data and location of a private lateral to the Engineer; or
- (23) fails to adequately maintain or repair a private lateral; or

- (24) backfills an excavation or trench created for the installation, repair, relocation or replacement of a service connection, or part thereof, prior to inspection and approval; or
- (25) fails to maintain a private sewage collection system; or
- (26) fails to maintain a private drainage system or private storm water management system; or
- (27) fails to provide written notification to the Engineer that a service connection has been disconnected; or
- (28) blanks or caps, or causes or permits to be blanked or capped, any service connection without prior approval; or
- (29) fails to cap or blank a service connection in compliance with this Schedule, in the manner specified by the Chief Building Official; or
- (30) fails to cap or blank a municipal lateral immediately following installation while awaiting approval to connect to the Sewer Works or Drainage Works; or
- (31) fails to cap or blank a service connection required for the demolition of the building or facility serviced; or
- (32) fails to obtain the written permission of the Engineer to reuse a capped or blanked service connection; or
- (33) fails to provide adequate excavation, backfill and reinstatement of a trench to enable the blanking or capping of a service connection as required under this Schedule; or
- (34) fails to obey or conform to any Sewer Works or Drainage Works use restrictions imposed by Council; or
- (35) fails to obey or conform to any temporary Sewer Works or Drainage Works use restrictions imposed by the Engineer permitted under this Schedule; or
- (36) fails to install a maintenance hole as required by this Schedule; or
- (37) fails to ensure a private maintenance hole is readily accessible for use and inspection at all times; or
- (38) fails to maintain a private maintenance hole required by this Schedule in good working order; or
- (39) fails to install an oil, grease, petroleum product, sand or grit interceptor as required by this Schedule; or
- (40) fails to maintain and ensure adequate functioning of a grease, oil, petroleum product, sand or grit interceptor as required by this Schedule; or
- (41) fails to provide maintenance records for any required interceptor; or
- (42) fails to ensure an interceptor is readily accessible for inspection at all times; or
- (43) fails to install and maintain a sewer backflow prevention device as required by this Schedule; or
- (44) has a garbage grinding device installed so as to discharge directly or indirectly to or into the Sewer Works, or to or into the Drainage Works; or

- (45) being an Owner or Operator, fails to maintain a ditch or drain abutting, or contained in his/her lands, free of growth, debris or obstructions or blockages to drainage flow; or
- (46) alters a watercourse, drain or drainage ditch that forms part of the Drainage Works, or part of a Municipal Drain, without the prior approval of the Engineer; or
- (47) fails to comply with an Engineer's notice to remove a blockage or obstruction to any drain, within the number of calendar days specified in said notice; or
- (48) being an Owner, Lessee, Occupant or Operator, fails to comply with an Engineer's notice to maintain, repair, alter, relocate or relay any private drain within the number of calendar days specified in said notice; or
- (49) being an Owner, Operator or Contractor or Builder, fails to comply with the direction of the Engineer or Chief Building Official regarding the installation of a temporary service connection to the Sewer Works or to the Drainage Works; or
- (50) excavates, uncovers or enters a main, maintenance hole, interceptor or other chamber of the Sewer Works or Drainage Works without prior approval of the Engineer; or
- (51) without authorization, removes or tampers with, or causes or permits any removal or tampering with, any maintenance hole cover, grate or any other opening into the Sewer Works or Drainage Works; or
- (52) undertakes or permits to be undertaken, thawing operations of any main, section or part or to any service connection of the Sewer Works or Drainage Works, without the prior approval of the Engineer; or
- (53) fails to repair a leak in a private sewer lateral or private sewage collection system within seven (7) calendar days of notice; or
- (54) having been given appropriate and adequate notice, fails to disconnect a drainage service connection from the Sewer Works, within the prescribed number of calendar days; or
- (55) fails to adequately decommission a septic tank, cesspool, or other private system for the treatment and disposal of sewage, following connection to the Sewer Works within the prescribed number of calendar days; or
- (56) without prior written approval of the Engineer, had a foundation drainage sump with a high water level overflow discharge directly into the building drain; or
- (57) destroys, damages, removes, fraudulently alters or in any way injures any main, maintenance hole, interceptor, catch basin, service connection, inspection tee, appurtenance or apparatus or thing belonging to the Corporation's Sewer Works or Drainage Works, or causes or permits the same to be done;

is guilty of an offence and upon conviction is liable to a fine, exclusive of costs, to the use of the Corporation, as set out in Article 6.3, pursuant to the provisions of the Municipal Act 2001, and/or the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as applicable.

6.3 ENFORCEMENT AND PENALTIES

Except as otherwise provided in this Schedule, and except as otherwise provided in the *Municipal Act* 2001:

- a) Every person other than a corporation who contravenes any provision of this Schedule is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs and continues to a fine, exclusive of costs, to the use of the Corporation, of not more than \$5,000.00 for a first offence and \$10,000.00 for any subsequent conviction.
 - b) Every corporation which contravenes any provision of this Schedule is guilty of an offence and on conviction is liable for every day or part thereof upon which such offence occurs or continues to a fine, exclusive of costs, to the use of the Corporation, of not more than \$25,000.00 for a first offence and \$50,000.00 for any subsequent conviction.
 - c) In this Schedule, a subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this Schedule.
- 6.3.1 Alternatively, at the discretion of the Corporation, pursuant to Part 1 of the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, every person who contravenes Part VI, Subsections 6.1 or 6.2 of this Schedule is liable to a set fine for each offence committed, as established under Appendix "3" annexed hereto, as amended by by-law adopted by Council from time to time.
- 6.3.2 Any person found to be in contravention of any applicable provision of this Schedule, may be issued a notice of such violation. Every such person may, within seventy-two (72) hours of the time when such notice was issued, pay at the Corporation Municipal Offices the set fine or fines for, and in full satisfaction of, such violation as set out in Appendix "3" annexed hereto.
- 6.3.3 The failure of such person to pay the said set fine or fines as set forth in Appendix "3" annexed hereto, subjects him or her to the penalties hereinbefore provided for the violation of the provisions of this Schedule; and at the sole discretion of the Corporation, on the provision of seven (7) calendar days notice, water supply to said person may be discontinued.
- 6.3.4 Unpaid set fines may, following a thirty (30) calendar day period, at the sole discretion of the Corporation, be added to the person's next sewer services billing, and shall be collected in like manner and with the same priority as a fees or charges for sewer services.
- 6.3.5 The set fines described herein shall come into force and effect upon receipt of the Judge's Order, under the *Provincial Offences Act, R.S.O. 1990*, from the Ministry of the Attorney General.
- 6.3.6 As appointed by Council, this Schedule shall be enforced by the following Officials of the Corporation as appropriate:
- (i) the Extraneous Flow Inspector;
 - (ii) the Municipal By-Law Enforcement Officers;

- (iii) the Chief Building Official; or
 - (iv) the Building Inspectors.
- 6.3.7 The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted, in accordance with the provisions of the *Municipal Act, 2001* and the *Provincial Offences Act, R.S.O. 1990*, both as amended.
- 6.3.8 Every person who, by act, offence, default, neglect or omission; occasions any loss, cost, damage or injury to the Sewer Works, or Drainage Works, or any part or appurtenance thereof, is liable to the Corporation for any and all financial losses and costs incurred as a result.
- 6.3.9 Unpaid charges for financial losses and costs invoiced under Subsection 6.3.8, and unpaid costs invoiced for work carried out under this Schedule, shall following a ninety (90) calendar day period, at the sole discretion of the Corporation, be added to the person's next sewer services billing, and shall be treated as a fee or charge for sewer services; or alternatively, at the sole discretion of the Corporation, such charges and costs may be added to the municipal tax roll of the property upon which or from which the financial losses and costs occurred, and collected in like manner and with the same priority as municipal taxes.
- 6.3.10 No action or proceeding under the provisions of this Schedule shall preclude the Corporation from the right and power to exercise any other right or remedy available to the Corporation.

APPENDIX "1" TO SCHEDULE "A"
TO BY-LAW 68-06:
BEING A BY-LAW TO REGULATE THE MANAGEMENT OF A SYSTEM OF
SEWER WORKS AND DRAINAGE WORKS IN THE TOWN OF FORT ERIE AND
TO REPEAL VARIOUS BY-LAWS

**APPLICATION AND STANDARDS
FOR THE INSTALLATION OF
SEWER SERVICE AND
DRAINAGE SERVICE CONNECTIONS**

APPLICATION AND STANDARDS FOR THE INSTALLATION OF SEWER SERVICE AND DRAINAGE SERVICE CONNECTIONS

A APPLICATION

- A.1 Every Owner requesting the Corporation to install a sewer service connection to the Sewer Works and/or a drainage service connection to the Drainage Works shall complete and submit an application (Form IS-001 as revised) to the Corporation, together with the fees and charges prescribed by the Council through by-law adopted from time to time.
- A.2 Every Owner wishing to contract with their own qualified contractor to install and connect a sewer service connection to the Sewer Works and/or a drainage service connection to the Drainage Works shall complete and submit an application (Form IS-002 as revised) to the Corporation together with a non-refundable inspection fee prescribed by the Council through by-law adopted from time to time.
- A.3 Upon approval of the application by the Engineer, a permit (Form IS-003a as revised) shall be issued to the Owner, and every Owner shall comply with the permit conditions as contained therein.
- A.4 The work to be done by the Corporation, or by an Owner authorized by the Corporation, in the provision of a service connection shall include the selection and the sizing of the service pipe, the excavation of the trench, the connection to the Sewer Works or the Drainage Works as applicable, and installation of the municipal lateral to the property line including required appurtenances, temporary plugging of the municipal lateral where not connected to the private lateral, marking of the municipal lateral end, backfilling of the trench and restoration of the worksite surface.

B GENERAL SERVICE CONNECTION STANDARDS

- B.1 All service connections to the Sewer Works or Drainage Works shall be provided and constructed in accordance with the *Ontario Building Code*, Part 7, *Ontario Provincial Standards* and current Corporation Standards. The most demanding requirement shall govern, unless otherwise approved by the Engineer or Chief Building Official as appropriate.
- B.2 Sewer service connections and drainage service connections shall be separate and constructed to prevent storm water and ground water from entering the Sewer Works, or sewage from entering the Drainage Works.
- B.3 The Engineer must first approve the size, type, and material of any pipes, fittings and appurtenances of the service connection before any such connection to the Sewer Works or to the Drainage Works is made.
- B.4 The Engineer shall determine the location in the road or utility right-of-way where the service connection shall be made to the main of the Sewer Works or the Drainage Works, and the manner in which such connection shall be made.
- B.5 In selecting the size and slope of a service connection, the following factors shall be considered:
 - (i) peak discharge of the building or premises serviced;
 - (ii) total length of service which will be required to reach building or premises;
 - (iii) elevation of building foundation relative to the main;

- (iv) loss of head resulting from the pipe type, pipe length and fittings; and
 - (v) required head at point of service connection to the main.
- B.6 Service connection pipe for single residential service connections shall be a minimum 100 millimetre diameter. Larger service connections than minimum size may be required in the case of large homes, multiple residential dwelling, and recreational, commercial, industrial and institutional facilities.
- B.7 Service connection pipe shall be of approved polyvinyl chloride (PVC), or acrylonitrile-butadiene-styrene (ABS) material acceptable under the provisions of the *Ontario Building Code*, Part 7, as referred to in the Corporation's plumbing permit.
- B.8 Private laterals shall be connected at the building at an elevation below the foundation footings where existing grade will permit.
- B.9 No private lateral shall be laid parallel to and within one (1.0) metre of any bearing wall.
- B.10 Private laterals shall be laid at uniform grade and in straight alignment.
- B.11 Service connections shall conform to latest version of standard drawings PW-301 FE and OPSD-1006.01 for rigid pipe and OPSD 1006.02 for flexible pipe.
- B.12 Deviations from the standards specified for private laterals must have the prior written approval of the Chief Building Official.
- B.13 Where a municipal lateral is constructed but not connected to a private lateral, the municipal lateral shall be securely plugged at the property line with an expanding type plug or approved equal, and adequately braced to withstand testing pressures, all to the satisfaction of the Engineer. The location of the plugged end of the municipal lateral shall be marked by a 50 mm by 100 mm timber securely placed. The timber shall be painted green for municipal sanitary sewer laterals and red for municipal drainage laterals.
- B.14 Sewer service connections and drainage service connections shall be separated from each other by a minimum clear (outside to outside) separation of 300 millimetres, and shall not cross each other.
- B.15 The installation of sewer service connections and drainage service connections in a common trench will only be permitted where both service connections are installed at the same invert and the specified minimum separation is maintained. It shall be the Owner's responsibility to make connection to the correct main.
- B.16 Sewer service connections and drainage service connections shall be separated from water service connections by a minimum horizontal distance of 2.5 metres and shall not cross water service connections.
- B.17 Unless otherwise approved in writing by the Engineer, maintenance holes, where required under this Schedule, shall be constructed of concrete, have a minimum diameter of 1.2 metres and shall be fitted with a removable cast iron cover to allow access for inspection, flow measurement, sampling, testing, cleaning and maintenance.
- B.18 The Corporation may require the permit holder to undertake tests to the satisfaction of the Engineer to demonstrate that the performance of all service connections meet Corporation standards, and are leak free, prior to final acceptance and approval to backfill any service connection excavation.

C SEWER SERVICE CONNECTIONS

- C.1 Sewer service connections shall consist of an approved connection to the Sewer Works compatible with both the municipal sewer lateral pipe and the sewermain, a municipal sewer lateral to the property line, an inspection tee at the property line, and a private sewer lateral to one (1.0) metre from the outside face of a the building foundation, and associated appurtenances. In addition a backflow prevention device shall be installed in the buildings sanitary sewer discharge plumbing in advance of the private sewer lateral.
- C.2 Except with the prior written consent of the Engineer, two or more buildings on the same property, or the same parcel of land, fronting on the same street, shall be supplied with a separate sewer service connection. Where consent has been given, for shared sewer service connections, separate private sewer laterals shall be extended to each building from the municipal sewer lateral, with each of such private sewer laterals provided with a separate inspection tee.
- C.3 Where only one of several buildings on the same building lot fronts upon a street with the other or others of such buildings being located in the rear of the first-mentioned building, or, where a building is or becomes a multiple or semi-detached dwelling, multiple residential dwelling, apartment building, or buildings divided into separate dwelling units:
- (i) In the case of the other building, or buildings, located in the rear as above mentioned; it or they shall be supplied with separate sewer service connections, unless otherwise approved in writing by the Engineer, to be given only where both the municipal sewer lateral and the private sewer laterals are of adequate size in the opinion of the Engineer. The Engineer may require the sewer service to be approved as a private sewage collection system.
 - (ii) In the case of any multiple or semi-detached dwelling, multiple residential dwelling, apartment building, or building divided into separate dwelling units; the number, size and type of sewer service connections and the manner of connection to the Sewer Works shall be subject to the prior written approval of the Engineer.
 - (iii) As directed by the Engineer, sewer service connections for multiple residential dwellings, recreational, commercial, industrial or institutional facilities, may be required to be made to a maintenance hole of the Sewer Works for inspection, discharge quality sampling and testing, or physical connection purposes in accordance with best construction practices.
- C.4 All sewer service connections shall have a minimum depth of ground cover of 1.5 metres, unless otherwise protected from freezing, as approved by the Engineer.
- C.5 Sewer service connections shall be installed at a minimum grade of two percent (2%) to a maximum grade of eight percent (8%) from the building served.
- C.6 The elevation of the basement floor and the building drain shall be set in conjunction with the depth of the municipal sewer lateral available at the property line.
- C.7 Basement and crawl space floor drains shall be constructed flush with the finished floor level and no closer than three (3m) metres from the edge of the foundation drainage system sump.
- C.8 Where the sewermain and the municipal sewer lateral connections thereto are not sufficiently deep to permit a gravity connection at the depth proposed for the basement construction, the Owner shall install at the Owner's expense, a suitable sewage ejector or pump.

- C.9 Every private sewer lateral entering a building, which does not contain a basement, shall be insulated in a manner that protects the sewage pipe from freezing and in a manner acceptable to Chief Building Official.
- C.10 All private sewer laterals upon installation shall be capped or blanked, to the satisfaction of the Engineer, until the building roof is completed, unless otherwise approved in writing by the Engineer.
- C.11 Grease, oil, and petroleum product interceptors shall comply with the requirements of the Building Code, Part 7, Ontario Provincial Standards and current Corporation Standards, shall provide adequate flow control, and shall be constructed of impervious material capable of notwithstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with accessible and easily removable covers for inspection, cleaning and maintenance, which when secured in place shall be gas-tight and watertight.

D DRAINAGE SERVICE CONNECTIONS

- D.1 Drainage service connections shall consist of an approved connection to the Drainage Works compatible with both the storm sewermain and the municipal drainage lateral pipe, a municipal drainage lateral to the property line, and a private drainage lateral to the building foundation and associated appurtenances.
- D.2 Where storm drainage services are provided by a system of road right-of-way ditches, the drainage service connection shall consist of a suitable private drainage lateral to the ditch abutting the property.
- D.3 Catch basins shall be installed at the low points of the drainage area. No single catch basin shall serve a hard surfaced area in excess of 650 square metres, unless otherwise approved in writing by the Engineer.
- D.4 All catch basins and grates shall be constructed to conform to Ontario Provincial Standards, unless otherwise approved by the Engineer.
- D.5 The drainage of limited hard surfaced areas (walks, driveways, parking spaces) located between the street line and the building setback line may be permitted by the Engineer to discharge directly onto a municipal road allowance, in a manner approved by the Engineer.
- D.6 All municipal drainage laterals, private drainage laterals and other buried pipe providing drainage must be constructed at such depth as to prevent freezing. A minimum of one (1.0) metre of earth cover shall be provided throughout.
- D.7 Where discharge of storm drainage is made to a watercourse, the Owner shall construct the outlet to ensure that erosion or the blockage of the watercourse shall not occur. The invert elevation of the storm drainage outlet shall be established to eliminate submerging of the outlet during high water flows within the watercourse.

APPENDIX "2" TO SCHEDULE "A"
TO BY-LAW 68-06:
BEING A BY-LAW TO REGULATE THE MANAGEMENT OF A SYSTEM OF
SEWER WORKS AND DRAINAGE WORKS IN THE TOWN OF FORT ERIE AND
TO REPEAL VARIOUS BY-LAWS

**STANDARD OPERATING PROCEDURES
WASTE WATER COLLECTION SYSTEM**



INFRASTRUCTURE SERVICES OPERATIONS / UTILITIES

STANDARD OPERATING PROCEDURES SEWER WORKS

INDEX

IS-SAN-S001 – Main Line Sewer Flushing Program

IS-SAN-S002 – Sanitary Sewer Lateral Installation /Repair

IS-SAN-P002 – Sanitary Sewer Lateral Blockage

IS-SAN-S003 – Sanitary Sewer Surcharge Events

IS-SAN-P003 – Sanitary Sewer Surcharge Remedial Action Plan

IS-SAN-S004 – Sanitary Sewer Maintenance Hole Inspection/Repair

IS-SAN-S005 – Extraneous Flow Reduction



INFRASTRUCTURE SERVICES OPERATIONS / UTILITIES

STANDARD OPERATING PROCEDURE SEWER WORKS

Revised Date: December 12, 2005

IS-SAN-S001 – Main Line Sewer Flushing Program

Objectives:

1. To ensure the systematic routine cleaning of the Sewer Works.
 2. To prevent public health hazards and inconvenience through interruptions in the service for which the Sewer Works is provided.
 3. To protect the public investment in the Sewer Works, by maintaining maximum capacities and extending the useful life of the system.
 4. To ensure the Sewer Works performs to design capacities.
 5. To protect people, property and the environment from the adverse effects of Sewer Works failure.
-

Level of Service:

1. High pressure cleaning of the main line sewers within each Sewer Works service area will be undertaken in a progressive systematic approach.
2. Intensified frequency of cleaning will be undertaken to those areas of the Sewer Works that have been identified as prone to backup.
3. Once notification has been received of a main line sewer blockage, immediate emergency response corrective actions will be implemented.



INFRASTRUCTURE SERVICES OPERATIONS / UTILITIES

STANDARD OPERATING PROCEDURE SEWER WORKS

Revised Date: December 12, 2005

IS-SAN-S002-Sanitary Sewer Lateral Installation/Repair

Objectives:

1. To provide sanitary sewer lateral connections that conforms to the *Ontario Building Code*, Part 7, *Ontario Provincial Standards* and current Corporation Standards.
 2. To minimize/reduce extraneous flow into the Sewer Works.
 3. To prevent unnecessary damage to public and private property.
 4. To adhere to established maintenance procedures that reduce and/or eliminate Corporate liabilities associated with sewer backups.
 5. To reduce adverse impacts to the environment associated with sewer overflow events.
-

Level of Service:

1. Residential lateral connections to be a minimum 100mm diameter.
2. Lateral material type to be an approved schedule of ABS or PVC – DWV piping.
3. Minimum lateral grade 2%.
4. Lateral blockage/failure on the municipal portion of the lateral will be addressed as an emergency immediately upon notification.
5. Lateral blockages will be addressed through adherence to procedure IS-SAN-P002.
6. Inspection tees are to be installed on the private side lateral at the property line with a riser flush to finish grade and complete with a watertight cast iron cap.
7. Video inspection of private side laterals may be conducted on request of the building owner.
8. All new lateral connections must be approved by the Engineer through completion of Application Form IS-002.



INFRASTRUCTURE SERVICES OPERATIONS / UTILITIES

STANDARD OPERATING PROCEDURE SEWER WORKS

IS-SAN-P002 – Sanitary Sewer Lateral Blockage

All Requests For Service:

Are to be processed through the electronic format Customer Relationship Management database.

In **all** instances a New Issue will be created to track actions taken.

Upon notification of a sewer lateral blockage, a Utilities Section Associate will conduct an emergency response site visit to investigate. An effort will be made to identify the location of the lateral blockage. Main line sewer inspection will be undertaken to ensure main line is running free. An inspection tee normally located at property line will expedite the effort in determining if the blockage is on the municipal portion of the lateral. In the absence of an inspection tee – the owner will be instructed to contract the services of a licensed plumber in an effort to free the blockage. The costs associated with the clearing of the blockage by a contracted plumber will be the responsibility of the owner unless follow-up assessment and/or video inspection determines municipal negligence.

The site visit findings will be recorded on the appropriate "Sanitary Sewer Lateral Blockage" form. Lateral access, blockage location, and property damage must all be noted. Confirmation of blockage in the main sewer or the municipal portion of the lateral warrants immediate action by the Operations Division Utilities Section.

The Utilities Manager or designate may schedule follow-up video inspection and/or excavation/repair of any noted deficiency on the municipal infrastructure.

Blockage In The Municipal Main Sewer Or Lateral Does Not Necessarily Absorb Liability.



INFRASTRUCTURE SERVICES OPERATIONS / UTILITIES

STANDARD OPERATING PROCEDURE SEWER WORKS

Revised Date: December 12, 2005

IS-SAN-S003 – Sanitary Sewer Surcharge Remedial Action Plan

Objectives:

1. To protect people, property and the environment from the adverse effects associated with Sewer Works surcharges.
 2. To minimize the adverse effects of Sewer Works surcharges associated with wet weather events.
-

Level of Service:

1. Sewer Works service area monitoring will be initiated when weather forecast warrants – due to predicted heavy rain and/or snow melt.
2. Maintenance hole inspections will assess the degree and limits of reliance on system inline storage.
3. Bypass trucking will be initiated when predicted surcharges exceed inline storage and property damage is imminent.
4. Bypass pumping in combination with trucking efforts will be initiated when predicted surcharges cannot be managed by trucking only.
5. Bypass pumping efforts will be suspended when it is determined the surcharge event can be managed by trucking only.



INFRASTRUCTURE SERVICES OPERATIONS / UTILITIES

STANDARD OPERATING PROCEDURE SEWER WORKS

Revised Date: December 12, 2005

IS-SAN-P003 – Sanitary Sewer Surchage Remedial Action Plan

1. In the event the Sewer Works is experiencing surcharge due to a wet weather event, immediately contact:

Utilities Manager
Cellular: 905-993-0368
Pager: 905-323-0355
2. A cooperative management of each event will be initiated between Utilities Section Operators and the Region of Niagara wastewater staff.
3. Our intention is to minimize sanitary sewer overflow discharge to the environment as a result of significant wet weather events and/or accelerated thawing cycles.
4. An assessment of weather conditions, surface runoff, ground saturation, rate/degree of thawing influences and time of day system demands will be undertaken to determine the required emergency response tactics.
5. Sewer Works surcharge levels will be monitored at various maintenance holes within the affected Sewer Works service area, to determine the potential impacts of the surcharge event.
6. Inline storage capacity will be relied upon only to the critical point of imminent property damage.
7. Contracted bypass trucking services will be initiated when the surcharge event exceeds inline storage volumes.
8. A combined trucking and bypass pumping operation may be required if surcharge condition assessments warrant.
9. Strict adherence to these adopted guidelines will minimize the impacts on public/private property and the environment during sanitary sewer surcharge/overflow events.



INFRASTRUCTURE SERVICES OPERATIONS / UTILITIES

STANDARD OPERATING PROCEDURE SEWER WORKS

Revised Date: December 12, 2005

IS-SAN-S004 Sanitary Sewer Maintenance Hole Inspection/Repair

Objectives:

1. To protect the public investment in the Sewer Works, by maintaining the structural integrity of maintenance hole structures.
 2. To protect people, property and the environment from the adverse effects of Sewer Works failure.
 3. To support extraneous flow reduction initiatives through maintenance hole rehabilitation/repair that results in the elimination of identified inflow/infiltration sources.
-

Level of Service:

1. Maintenance hole inspections will be conducted each time access is established.
2. Inspections will assess structural deficiencies and identify leakage and infiltration sources.
3. Identified maintenance hole structural failure that may result in damage to the traveling public or private/public property will be repaired as a priority.
4. An annual program of maintenance hole rehabilitation through grouting and/or gel-sealing will be undertaken subject to approved funding allocations.



INFRASTRUCTURE SERVICES OPERATIONS / UTILITIES

STANDARD OPERATING PROCEDURE SEWER WORKS

Revised Date: December 12, 2005

IS-SAN-S005 – Extraneous Flow Reduction

Objectives:

1. To identify and eliminate connections that convey storm water to the Sewer Works.
 2. To repair/replace deteriorated Sewer Works infrastructure identified as being subjected to infiltration of ground/storm water.
 3. To protect people, property and the environment from the adverse effects associated with Sewer Works collection system surcharges.
 4. To minimize the adverse effects of Sewer Works surcharges associated with wet weather events.
-

Level of Service:

1. Annual main line CCTV video inspection program subject to approved funding allocations.
2. Sanitary Sewer lateral video inspections – Town and Private side.
3. Maintenance hole and main line inspections in the compilation of an annual non-destructive gel sealing repair initiative.
4. Building inspections to ensure compliance to Schedule "A" of By-law ____-06: Being a By-law to Regulate the Management of a System of Sewer Works and Drainage Works in the Town of Fort Erie and to Repeal Various By-laws.
5. Promotion of the financial assistance subsidy components of Schedule "A" of By-law ____-06: Being a By-law to Regulate the Management of a System of Sewer Works and Drainage Works in the Town of Fort Erie and to Repeal Various By-laws..

APPENDIX "3" TO SCHEDULE "A"
TO BY-LAW 68-06:

BEING A BY-LAW TO REGULATE THE MANAGEMENT OF A SYSTEM OF
SEWER WORKS AND DRAINAGE WORKS IN THE TOWN OF FORT ERIE AND
TO REPEAL VARIOUS BY-LAWS

SCHEDULE OF OFFENCES AND SET FINES

Part I *Provincial Offences Act*

Offences and Set Fines Under By-law 68-06 of The Corporation of the Town of Fort Erie

ITEM	OFFENCE ⁽¹⁾	CODE ⁽²⁾	FINE ^{(3) (4)}
1	Fouled, obstructed or blocked flows in the Sewer Works or Drainage Works	6.1 (1)	\$500
2	Deposited or discharged into the Sewer Works or Drainage Works a substance harmful to a person	6.1 (2)	\$500
3	Deposited or discharged into the Drainage Works a substance harmful to the natural environment	6.1 (3)	\$500
4	Deposited or discharged into the Sewer Works or Drainage Works a prohibited substance	6.1 (4)	\$500
5	Failed to connect to an abutting sanitary sewermain	6.2 (1)	\$500
6	Failed to provide a storm water or drainage discharge control in compliance with Corporation Standards	6.2 (2)	\$500
7	Unauthorized connection to the Sewer Works or Drainage Works	6.2 (3)	\$500
8	Failed to obtain a service connection permit	6.2 (4)	\$400
9	Failed to construct a private lateral in conformance with the By-law	6.2 (5)	\$400
10	Failed to construct a private sewage collection system in accordance with the By-law	6.2 (6)	\$300
11	Failed to construct a private drainage system in conformance with Corporation Standards	6.2 (6)	\$200
12	Connected a private lateral to the Sewer Works or Drainage Works without prior inspection and approval	6.2 (7)	\$300
13	Connected a private drainage system to the Drainage Works prior to inspection and approval	6.2 (8)	\$300
14	Connected a private sewage collection system to the Sewer Works prior to inspection and approval	6.2 (9)	\$300
15	Failed to inform that a private lateral was available for inspection	6.2 (10)	\$200
16	Failed to undertake and report the results of required specified tests	6.2 (11)	\$300
17	Failed to provide access for inspecting, maintaining, repairing, modifying or replacing a service connection	6.2 (12)	\$300
18	Failed to provide access for inspection to ensure compliance with the By-law and Corporation Standards	6.2 (13)	\$300
19	Hindered a Corporation Officer or Agent in the exercise of a power or duty under the By-law	6.2 (14)	\$300
20	Without authority discharged sewage to the Sewer Works not originating from the Water Works	6.2 (15)	\$200

NOTES:

⁽¹⁾ The general offences and penalty provisions for the offences listed above are set out in Subsections 6.1 to 6.3 of Schedule "A" to By-law 68-06, dated April 24, 2006, a certified copy of which has been filed.

⁽²⁾ "CODE" column lists the specific subsection of Schedule "A", Part VI, to By-law 68-06 creating and defining the offence.

⁽³⁾ The set fines include court costs.

⁽⁴⁾ Recovery of damages and losses including recovery of revenue losses is in addition to the set fines.

ITEM	OFFENCE ⁽¹⁾	CODE (2)	FINE (3) (4)
21	Without authorization discharged storm, drainage or ground water or leachate to the Sewer Works	6.2 (16)	\$400
22	Without authorization discharged hauled sewage or sludge to the Sewer Works	6.2 (17)	\$500
23	Failed to notify the Corporation of a discharge that is in violation of the By-law	6.2 (18)	\$200
24	Failed to notify the Corporation of a discharge that is or may be hazardous to a person	6.2 (19)	\$300
25	Failed to notify the Corporation of a discharge that is or may be hazardous to the natural environment	6.2 (20)	\$200
26	Failed to protect a service connection	6.2 (21)	\$200
27	Failed to provide the “as built” and location information for a private lateral	6.2 (22)	\$100
28	Failed to maintain a private lateral	6.2 (23)	\$200
29	Backfilled a service connection trench without prior inspection and approval	6.2 (24)	\$200
30	Failed to maintain a private sewage collection system	6.2 (25)	\$300
31	Failed to maintain a private drainage system or storm water management system	6.2 (26)	\$200
32	Failed to provide written notification that a service connection has been disconnected	6.2 (27)	\$200
33	Without approval, capped a service connection	6.2 (28)	\$400
34	Failed to cap a service connection in conformance with the By-law	6.2 (29)	\$200
35	Failed to cap a service connection as specified by the Engineer	6.2 (29)	\$100
36	Failed to cap a municipal lateral while awaiting approval to connect	6.2 (30)	\$100
37	Failed to cap a service connection required for the demolition of a building	6.2 (31)	\$300
38	Failed to obtain permission to reuse a capped service connection	6.2 (32)	\$300
39	Failed to provide excavation, backfill and reinstatement to enable capping of a service connection	6.2 (33)	\$200
40	Failed to obey any Sewer Works or Drainage Works use restrictions imposed by Council	6.2 (34)	\$300
41	Failed to obey any temporary Sewer Works or Drainage Works use restrictions imposed by the Engineer	6.2 (35)	\$200
42	Failed to install a maintenance hole as required by Corporation Standards and the By-law	6.2 (36)	\$300
43	Failed to ensure a private maintenance hole was accessible	6.2(37)	\$100
44	Failed to maintain a private maintenance hole	6.2 (38)	\$100
45	Failed to install an interceptor as required by the By-law	6.2 (39)	\$300
46	Failed to maintain an interceptor	6.2 (40)	\$200

NOTES:

⁽¹⁾ The general offences and penalty provisions for the offences listed above are set out in Subsections 6.1 to 6.3 of Schedule “A” to By-law 68-06, dated April 24, 2006, a certified copy of which has been filed.

⁽²⁾ “CODE” column lists the specific subsection of Schedule “A”, Part VI, to By-law 68-06 creating and defining the offence.

⁽³⁾ The set fines include court costs.

⁽⁴⁾ Recovery of damages and losses including recovery of revenue losses is in addition to the set fines.

ITEM	OFFENCE ⁽¹⁾	CODE (2)	FINE (3) (4)
47	Failed to provide maintenance records for an interceptor	6.2 (41)	\$100
48	Failed to ensure an interceptor was readily accessible for inspection	6.2 (42)	\$100
49	Failed to install a backflow prevention device as required by the By-law and Corporation Standards	6.2 (43)	\$100
50	Had a garbage grinding device discharging to the Sewer Works or Drainage Works	6.2 (44)	\$100
51	Failed to maintain a drainage ditch	6.2 (45)	\$100
52	Without prior approval, altered a water course or drainage ditch of the Drainage Works	6.2 (46)	\$300
53	Without prior approval, altered a water course or drainage ditch of a Municipal Drain	6.2 (46)	\$500
54	Failed to comply with the Engineer's notice to remove a blockage or obstruction to a drain within the notice period	6.2 (47)	\$500
55	Failed to comply with the Engineer's notice to complete work on a private drain within the notice period	6.2 (48)	\$300
56	Failed to comply with the direction of the Engineer or Chief Building Official regarding the installation of a temporary service connection	6.2 (49)	\$200
57	Without prior approval, excavated, uncovered or entered a main or maintenance hole or chamber	6.2 (50)	\$200
58	Without authorization removed or tampered with a maintenance hole cover or other grate or opening	6.2 (51)	\$100
59	Without prior approval, undertook thawing operations	6.2 (52)	\$300
60	Failed to repair a leak in a private sewer lateral or private sewage collection system within the notice period	6.2 (53)	\$300
61	Failed to disconnect a drainage service connection from the Sewer Works within the notice period	6.2 (54)	\$500
62	Failed to adequately decommission a septic tank, cesspool or private sewage disposal facility	6.2 (55)	\$500
63	Without approval, had a sump with a high water level discharge connection into the building drain	6.2 (56)	\$300
64	Caused damage to the Sewer Works or Drainage Works	6.2 (57)	\$500

NOTES:

⁽¹⁾ The general offences and penalty provisions for the offences listed above are set out in Subsections 6.1 to 6.3 of Schedule "A" to By-law 68-06, dated April 24, 2006, a certified copy of which has been filed.

⁽²⁾ "CODE" column lists the specific subsection of Schedule "A", Part VI, to By-law 68-06 creating and defining the offence.

⁽³⁾ The set fines include court costs.

⁽⁴⁾ Recovery of damages and losses including recovery of revenue losses is in addition to the set fines.